

ILLINOIS POLLUTION CONTROL BOARD
July 21, 1994

CWM CHEMICAL SERVICES, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 89-177
)	(Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY and)	
PEOPLE OF THE STATE)	
OF ILLINOIS,)	
)	
Respondents.)	

ORDER OF THE BOARD (by J. Theodore Meyer):

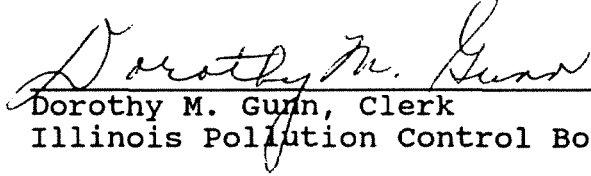
On June 30, 1994, petitioner CWM Chemical Services, Inc. (CWM) and respondents the Illinois Environmental Protection Agency (Agency) and the People of the State of Illinois (collectively, respondents) filed separate status reports in this proceeding. The status reports are in response to the Board's April 23, 1992 order staying this permit appeal. As part of that stay, the Board ordered CWM to file a status report every 90 days.

The status reports recount the progress being made by CWM and the Agency on the Agency's review of CWM's November 1991 RCRA Part B permit application. CWM states that the Agency has approved CWM's closure certification for four hazardous waste surface impoundments, and has approved the interim status closure/post closure plan. CWM further states that it has recently entered into a letter of intent with another company, and is in the process of negotiating an agreement to transfer some assets at the facility to the other company. CWM understands that this prospective purchaser intends to use the facility for waste storage and handling only, and does not intend to restart the incinerator. CWM is optimistic that the transaction can be finalized within 120 days, and asks that the stay remain in effect. Respondents confirm that they have been involved in discussions with both CWM and the prospective buyer, and that the prospective purchaser has stated that it will not seek to restart the incinerator at any time in the future.

Because it appears that this case is close to resolution, the Board accepts the status reports. The Board reminds CWM that it has a continuing obligation to submit status reports every 90 days.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 21st day of July, 1994, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board