

BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

In re:)	
White Chemical Corporation)	CERCLA 106(b) Petition Nos.
Superfund Site.)	94-16, 94-17, and 94-18
)	
)	

ORDER DISMISSING PETITIONS FOR REIMBURSEMENT

Petitioners Monsanto Company, PPG Industries, Inc., and Rhone-Poulenc, Inc. have moved to withdraw each of the above-captioned petitions for reimbursement. Accompanying the motion is a copy of a consent decree entered in a civil action styled United States v. Monsanto Company, PPG Industries, Inc., and Rhone-Poulenc, Inc., No. 97-110 (DRD), in the United States District Court for the District of New Jersey. In the consent decree, approved by the District Court on or about April 3, 1997, the petitioners agreed to withdraw CERCLA § 106(b) Petition Nos. 94-16, 94-17, and 94-18, and to refrain from either reinstating those petitions or otherwise claiming reimbursement under CERCLA § 106(b) for costs associated with the White Chemical Corporation Superfund Site. See Consent Decree section VIII, paragraph 15.

Petitioners' motion to withdraw their claims for reimbursement is hereby granted, and CERCLA § 106(b) Petition

Nos. 94-16, 94-17, and 94-18 are dismissed with prejudice in their entirety.

So ordered.

ENVIRONMENTAL APPEALS BOARD

By : _____
Edward E. Reich
Environmental Appeals Judge

Dated: MAY 1 1997

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Dismissing Petitions for Reimbursement in the matter of the White Chemical Corporation Superfund Site, CERCLA 106(b) Petition Nos. 94-16, 94-17, and 94-18, were sent to the following persons in the manner indicated:

By First-Class Mail:

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Mildred T. Johnson
Secretary

Dated: MAY 2 1997