

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

In re:)	
)	
Solutia Inc. and Ferro Corp.)	RCRA Appeal No. 00-6
)	
Docket No. NJD001700707)	
)	

ORDER DISMISSING APPEAL

On November 27, 2000, petitioners Solutia Inc. and Ferro Corp. ("petitioners") appealed the denial by U.S. EPA Region II ("Region") of petitioners' request for a Class I permit modification in the above-captioned proceeding. On December 15, 2000, at the request of the Region, the EAB stayed consideration of petitioners' appeal until January 26, 2001, in order to accommodate the parties' efforts to reach a negotiated settlement of this matter. See Order Granting Extension of Time and Staying Consideration of Appeal (EAB, December 15, 2000).

On January 30, 2001, the petitioners and the Region filed a Joint Stipulation and Request for Dismissal ("joint request") seeking dismissal of petitioners' appeal. In their joint request, the parties indicate that they have resolved the issues that gave rise to the petitioners' appeal and that the terms of their agreement are embodied in an attached letter from the Region to the petitioners, "which has been accepted and agreed to by [p]etitioners." See Letter from Robert G. Hazen, U.S. EPA

Region II, to Elton L. Parker, Squires, Sanders & Dempsey, and Robert F. Wilkinson, Thompson Coburn L.L.P. (Jan. 18, 2001).

Accordingly, the parties' request for dismissal is granted. The petitioners' appeal is hereby dismissed, with prejudice, in its entirety.

So ordered.

ENVIRONMENTAL APPEALS BOARD

By: _____/s/_____
Kathie A. Stein
Environmental Appeals Judge

Dated: 02/05/2001

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order
Dismissing Appeal in the Matter of Solutia Inc. and Ferro Corp.,
RCRA Appeal No. 00-6, were sent to the following persons in the
manner indicated:

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Date: 02/05/2001

_____/s/
Annette Duncan
Secretary