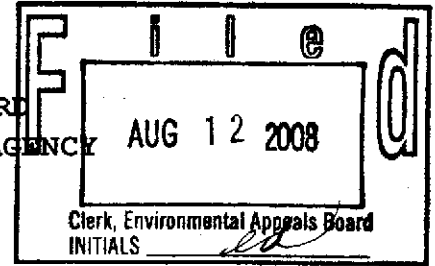


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



\_\_\_\_\_  
In re: )  
 )  
The Dow Chemical Company, )  
Hanging Rock Plant ) RCRA Appeal No. 06-01  
 )  
Permit No. OHD 039-128-913 )  
\_\_\_\_\_ )

**ORDER EXTENDING STAY**

On July 31, 2008, the parties in the above-captioned matter, U.S. EPA Region 5 (the "Region") and The Dow Chemical Company ("Dow"), filed their eighth motion requesting to stay the proceedings in this case until November 21, 2008. By order dated August 6, 2008, the Environmental Appeals Board ("Board") scheduled a teleconference to better understand the parties' representations. The teleconference was held today, August 12, 2008, at 11:00 a.m. EST.

Upon the representations in today's teleconference, in which both parties expressed a very high degree of confidence that sufficient progress will have been made such that the petition could be withdrawn by November 21, 2008, the Board grants their request for an extension of time. The proceedings before the Board are now stayed until November 21, 2008, to allow time for completion of the comparable fuels demonstration and for Ohio EPA

to issue the necessary clean closure certifications. The parties shall, by November 21, 2008, certify that the Dow has withdrawn the petition or, if the parties cannot make such representation by that date, the Region shall then file its response to the petition no later than December 22, 2008.

So ordered.

ENVIRONMENTAL APPEALS BOARD

By: Charles J. Sheehan  
Charles J. Sheehan  
Environmental Appeals Judge

Dated: *August 12, 2008*

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the forgoing Order Extending Stay in the matter of The Dow Chemical Company, Hanging Rock Plant, RCRA Appeal No. 06-01, were sent to the following persons in the manner indicated:

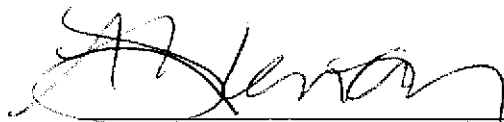
First Class Mail  
and Facsimile:

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41 South High Street  
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EPA Pouch Mail and  
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Kevin C. Chow  
Associate Regional Counsel  
U.S. EPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604  
Fax: 312-886-0747

Dated: AUG 12 2008



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Annette Duncan  
Secretary