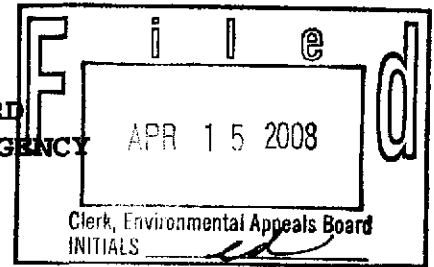


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



In re: )  
)  
PPG Industries, Ohio Inc. )  
PPG Industries, Inc. )  
)  
Permit No. RCRA OHD 004304689 )  
)

RCRA Appeal No. 07-01

**ORDER GRANTING FIFTH JOINT REQUEST TO STAY THE PETITION**

On April 14, 2008, the parties in the above-captioned matter, U.S. EPA Region 5 (the "Region") and PPG Industries Ohio, Inc. and PPG Industries, Inc. (collectively "PPG"), filed a fifth joint motion requesting to stay the proceedings in this case until June 13, 2008. On February 1, 2008, the parties filed their fourth motion seeking to stay the proceedings until April 4, 2008, to allow the parties to conduct settlement discussions, which the Environmental Appeals Board ("Board") granted by order dated February 6, 2008. The parties explained at the time that they had reached a preliminary agreement on all but two of the issues raised in the petition for review, and that they were actively working on resolving the remaining issues.

In their current motion, filed well after the April 4, 2008 deadline, the parties explain that the Region and PPG are continuing their settlement discussions and are making progress

toward settlement, but that the two remaining issues are still unresolved. The parties further represent that they have initiated preliminary discussions on the procedural steps required to modify the permit underlying this appeal. According to the parties, the additional time is necessary to conclude settlement negotiations.

For good cause shown, the Board hereby grants the parties' request to stay the proceedings until Friday, June 13, 2008. **On or before June 13, 2008**, the parties shall submit a report regarding the status of the settlement negotiations that shall include a discussion of whether it is appropriate to continue the stay, dismiss the petition, or establish a schedule for the Region to file a response to the petition.<sup>1</sup> In the event that the parties cannot represent by no later than June 13, 2008 that all terms necessary to settle this matter have been successfully negotiated, no further extension will be granted.

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated:

*April 15, 2008*

By:

*Anna L. Wolgast*

Anna L. Wolgast  
Environmental Appeals Judge

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<sup>1</sup> Documents are "filed" with the Board on the date they are received by the Clerk.

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Order Granting Fifth Joint Request to Stay the Petition in the matter of PPG Industries Ohio, Inc. and PPG Industries, Inc., RCRA Appeal No. 07-01, were sent to the following persons in the manner indicated:

**By Pouch Mail:**


Thomas J. Krueger  
Associate Regional Counsel  
U.S. EPA, Region 5  
77 W. Jackson Blvd.  
Chicago, IL 60604  
Phone: (312) 886-0562

**By First Class Mail Postage Prepaid:  
and via fax:**

Robert J. Schmidt  
Porter, Wright, Morris & Arthur  
41 South High Street  
Columbus, OH 43215  
Fax: 614-227-2100

Joseph M. Karas  
Assistant Counsel  
PPG Industries, Inc.  
39 South, One PPG Place  
Pittsburgh, PA 15272  
Fax: 412-434-4292

Dated: APR 15 2008

  
Annette Duncan  
Secretary