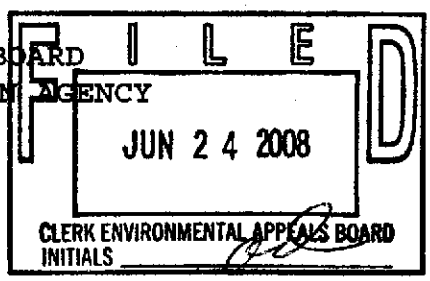
BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.



In re:	)	
	)	
PPG Industries, Ohio Inc.	)	
PPG Industries, Inc.	)	RCRA Appeal No. 07-01
	)	
Permit No. RCRA OHD 004304689	)	
	)	

ORDER GRANTING SIXTH JOINT REQUEST

TO STAY THE PETITION

On June 13, 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 their sixth motion requesting to stay the proceedings in this case. On April 14, 2008, the parties had filed their fifth motion seeking to stay the proceedings until June 13, 2008, to allow the parties to conduct settlement discussions, which the Environmental Appeals Board ("Board") granted by order dated April 15, 2008. The parties explained at that time that the Region and PPG were continuing their settlement discussions and were making progress toward settlement, but that two issues were still unresolved. The parties also represented that they had initiated preliminary discussions on the procedural steps required to modify the permit underlying this appeal, and that the additional time was necessary to continue

settlement discussions and to determine the right approach for permit modification.

In their current motion, the parties represent that they have continued to make progress toward settlement, including fully resolving five of the six issues that were under appeal. The parties explain that on the final issue settlement appears likely, but it requires the completion of a report by PPG on a recent stack test done to confirm compliance with the newly effective National Emission Standard for Hazardous Air Pollutants ("NESHAP") for Miscellaneous Organic Chemical Manufacturing ("MON MACT").

Upon consideration, the Board hereby grants the parties' request to stay the proceedings until Wednesday, July 16, 2008.[1] In the event that the parties cannot represent by July 16, 2008, that all terms necessary to settle this matter have been successfully negotiated, no further extension will be granted; and

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[1] As noted above, this is the parties' sixth request for extension of time. In our last order, the Board indicated that no further extension would be granted in the event that the parties could not represent by June 13, 2008, that all terms necessary to settle this matter had been successfully negotiated. *See* Order Granting Fifth Joint Request to Stay the Petition (EAB April 15, 2008). Notwithstanding our previous order, the Board is granting yet another extension of time. The only reason for the Board's consideration of one last extension of time is the parties' new representation of intervening MON MACT, and the need to accommodate this into settlement.

if the parties cannot so represent, the Region will have until July 16, 2008, to file its response brief on any matter not then settled.[2]

So ordered.

ENVIRONMENTAL APPEALS BOARD

Dated: June 23, 2008

By: Charles J. Sheehan

Charles J. Sheehan
Environmental Appeals Judge

[2] 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 Sixth 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: JUN 24 2008

Annette Duncan
Secretary