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July 17, 2007

U.S. Environmental Protection Agency Clerk of the Board, Environmental Appeals Board (MC 1103B) Ariel Rios Building 1200 Pennsylvania Avenue, N.W. Washington, D.C. 20460-0001

Re:

PPG Industries Ohio, Inc./PPG Industries, Inc.

Permit No. RCRA OHD 004 304 689

Environmental Appeals Board, U.S. EPA, Washington, D.C.

To the Clerk:

Enclosed for filing, please find the original and 5 copies of a *Joint Motion for Leave to Conduct Settlement Discussions* in the above-referenced matter. Please time-stamp and return the additional copy in the enclosed postage paid envelope.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

Robert J. Schmidt, Jr.

Policet J. Schmidt /ck.

RJS:clk Enclosures

cc: Thomas J. Krueger, U.S. EPA, Region 5

## BEFORE THE ENVIRONMENTAL APPEALS BOARD UNITED STATES ENVIRONMENTAL PROTECTION AGENCY 24 WASHINGTON, D.C. ENVIR. APPEALS BOARD

In re: PPG Industries Ohio, Inc. PPG Industries, Inc.

Permit No. RCRA OHD 004 304 689)

## JOINT MOTION FOR LEAVE TO CONDUCT SETTLEMENT DISCUSSIONS

On May 7, 2007, PPG Industries Ohio, Inc. and PPG Industries, Inc. ("PPG") filed a Petition for Review of Federal RCRA Permit No. 0HD004-304-689. USEPA filed a response to the Petition for Review on June 22, 2007. The parties, having conferred, believe that there is a reasonable basis to believe that they may be able to settle some or all of the remaining issues raised in the Petition. Therefore, the parties jointly request that the Environmental Appeals Board stay these proceedings until September 7, 2007 to allow the parties an opportunity to conduct settlement discussions without the need for further litigation.

Respectfully submitted,

Robert J. Schmidt (0062261)

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/s Thomas J. Krueger\* Thomas J. Krueger Associate Regional Counsel US EPA, Region 5 77 W. Jackson Blvd. Chicago, IL 60604

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<sup>\*</sup>pursuant to email authorization 7/16/2007