

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)	
)	
SINCLAIR OIL CORPORATION)	Docket No. RCRA-(3008)-91-16
)	
Respondent)	

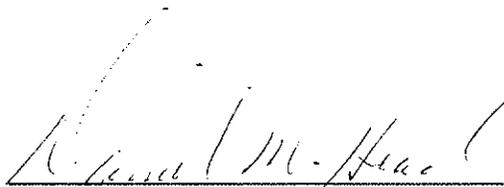
ORDER GRANTING MOTION TO STAY

On October 29, 1992, Complainant filed a motion requesting a stay of all counts in this administrative proceeding, because of an Order compelling this action entered October 20, 1992 by the U.S. District Court for the District of Wyoming in the consolidated cases of Sinclair Oil Corp. v. James S. Scherer, et et al., No. 88-CV-0190-B and U.S. v. Sinclair Oil. Corp., No. 89-CV-0153-B. The Respondent, in pleadings filed in connection with the Complainant's motion for a partial stay previously filed herein, has indicated that it opposes a partial stay but requests that the prior stay of the entire proceeding be continued. Therefore, there is no need to await an answer from the Respondent to the current motion. Since the Respondent's position on the motion for a partial stay concurs with the relief requested in the Complainant's motion to stay all counts, the motion to stay all counts is hereby granted. In addition, Complainant's prior motion for a stay of counts 662-817 and 908-1060 is denied as moot.

Accordingly, it is ordered that all counts in this proceeding be stayed pending resolution of the controversy in

Federal Court relating to this matter.

The parties are directed to advise the Presiding Judge forthwith of the outcome of the appeal process in Federal Court.



Daniel M. Head
Administrative Law Judge

Dated: November 5 1992
Washington, DC

IN THE MATTER OF SINCLAIR OIL CORP., Respondent,
Docket No. RCRA-(3008)-91-16

CERTIFICATE OF SERVICE

I certify that the foregoing Order Granting Motion to Stay dated November 5, 1992, was sent in the following manner to the addressees listed below:

Original by Regular Mail to:

Joanne McKinstry
Regional Hearing Clerk
U.S. EPA, Region VIII
999 18th Street, Suite 500
Denver, CO 80202-2405

Copy by Certified Mail-Return
Receipt Requested to:

Counsel for Complainant:

Thomas E. Sitz, Esquire
Assistant Regional Counsel
U.S. EPA, Region VIII
999 18th Street, Suite 500
Denver, CO 80202-2405

Counsel for Respondent:

Henry W. Ipsen, Esq.
Colin G. Harris, Esq.
Holme Roberts & Owen
1700 Lincoln, Suite 4100
Denver, CO 80203

P. Scott Rammell, Esq.
Legal Department
Sinclair Oil Corporation
550 East South Temple
P.O. Box 30825
Salt Lake City, UT 84130-
0825

Aurora M. Jennings
Aurora M. Jennings
Legal Assistant
Office of the Administrative
Law Judges

Dated: November 5, 1992
Washington, DC