

ILLINOIS POLLUTION CONTROL BOARD
November 4, 1993

RIVERSIDE LABORATORIES, INC.,)
)
 Petitioner,)
)
 v.) PCB 90-165
) (Permit Appeal)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by C. A. Manning):

Riverside Laboratories Inc. (Riverside), on October 27, 1993, filed a status report pursuant to the Board's modified order of May 20, 1993, a motion for continuance of stay, and a waiver of decision deadline. In the status report, Riverside states that related to this permit appeal it has two consolidated variance petitions pending before the Board, PCB 91-161 and PCB 90-164, all pertaining to the Part 218 papercoating regulations as applied to Riverside. Riverside states that it also has pending before the United States Environmental Protection Agency (USEPA) a reconsideration of the Federal Implementation Plan (FIP) papercoating regulations as applied to Riverside. Riverside also states that USEPA has granted Riverside a stay of enforcement of the papercoating limitations, pending final review. The Board regulations at 35 Ill. Adm. Code 218.103(a)(2) stays the effectiveness of Part 218 as applied to each FIP appellant to the extent that each appellant receives a stay of the FIP from the USEPA. The report further states that a draft of the Notice of the Proposed Rulemaking has been approved by the Region V administrator, but needs to be approved by USEPA offices in Washington, D.C. Riverside states that the Agency has agreed that the hearings in this matter should be held pending the settlement with the USEPA.

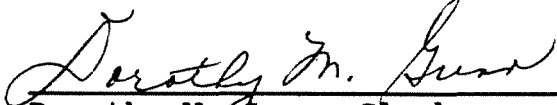
The Board notes that Riverside Laboratories has filed a waiver of the decision deadline extending the deadline until May 2, 1994, and a motion for continuance of the stay until May 2, 1994 or at such other time as the Board deems necessary.

The Board accepts the waiver of the decision deadline until May 2, 1994 and grants a stay in this matter until January 20, 1994, which allows the Board sufficient time, if necessary to process this case prior to the new decision deadline. Riverside Laboratories may petition the Board for an extension of the stay providing that an appropriate waiver of the decision deadline is also filed.

The parties are directed to file an updated status report on or before January 4, 1994.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 4th day of November, 1993, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board