

ILLINOIS POLLUTION CONTROL BOARD
July 1, 1993

COMMONWEALTH EDISON COMPANY,)
)
Petitioner,)
)
v.) PCB 91-257
) (Permit Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

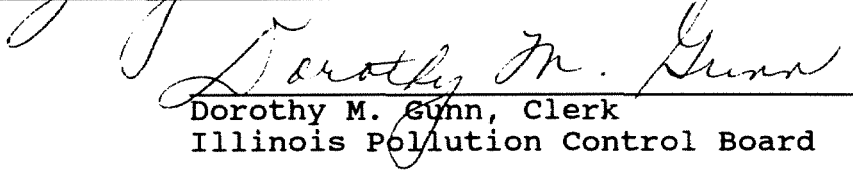
ORDER OF THE BOARD (by M. Nardulli):

This matter comes before the Board on a petition for review filed on December 23, 1991. On June 25, 1993, petitioner filed a status report pursuant to an April 22, 1993 Board order. Petitioner reports that at the time the permit was issued, USEPA had not concluded its review of a chemical industry study on the toxicity of bromine biocides. Petitioner asserts that since the permit appeal in this matter was filed, USEPA has determined with more precision the levels at which bromine may have toxic effects. The status report states that the parties are conducting negotiations in an attempt to reach an agreement on this matter. Petitioner understands that the Agency intends to issue a proposed modified NPDES permit for the Cordova facility. Petitioner anticipates that it will withdraw this appeal when the modified permit for the Cordova facility becomes final.

The Board accepts petitioner's status report. The Board notes with concern that the Agency has failed to file a status report and has therefore not complied with the Board's April 22, 1993, order which directed both parties to file a status report with the Board. The Board directs the petitioner and the Agency to file separate status reports to be received by the Board no later than September 1, 1993.

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 1st day of July, 1993, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board