

ILLINOIS POLLUTION CONTROL BOARD
April 23, 1992

RIVERSIDE LABORATORIES, INC.,)
))
 Petitioner,))
)) PCB 90-164
 v.)) PCB 90-165
)) (Variance)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by M. Nardulli):

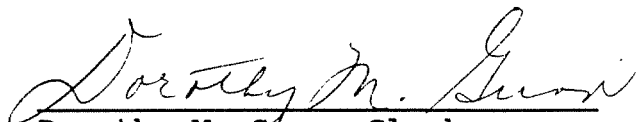
This matter comes before the Board on a motion for reconsideration filed on April 15, 1992 by petitioner. By the instant motion, Riverside asks that the Board reconsider its decision of April 9, 1992 directing the hearing officer to set these matters for hearing. The order directed that hearings be completed by July 15, 1992, in order to allow the Board to meet a December 1, 1992 decision deadline.

These petitions were filed with the Board on August 29, 1990. Following the permit denial by the Illinois Environmental Protection Agency (Agency), the Federal Implementation Plan (FIP) for ozone was adopted for the Chicago Metropolitan area. Additionally, Illinois modified its State Implementation Plan (SIP) according to the papercoating limitations of the FIP. Riverside filed a petition for review challenging the papercoating limitations, and the U.S. EPA is reconsidering the papercoating limitations as they apply to Riverside. As any grant of a variance from the FIP will directly impact the applicability of the papercoating limitations of the SIP, Riverside believes that it is not in the parties' and the Board's best interests to proceed to hearing at this time.

The Board hereby grants petitioner's motion to reconsider. Upon reconsideration, the Board vacates the Board's April 9, 1992 order. Additionally, the Board orders a stay of the proceedings in this matter until August 1, 1992, and directs the parties to file a status report with the Board to be received by the Board no later than August 1, 1992. The parties are free to seek an additional stay of this proceeding, provided that the request is accompanied by an appropriate waiver of the Board's decision deadline.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 23rd day of April, 1992, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board