

ILLINOIS POLLUTION CONTROL BOARD  
November 19, 1992

IN THE MATTER OF: )  
)  
PETITION OF R. LAVIN & SONS, INC., )  
FOR ADJUSTED STANDARD FROM 35 )  
ILL. ADM. CODE 302.102, 302.208, ) AS 90-5  
302.210 AND SUBPART F, PROCEDURES ) (Adjusted Standard)  
FOR DETERMINING WATER QUALITY )  
CRITERIA )

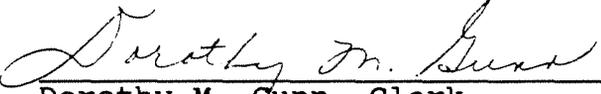
ORDER OF THE BOARD (by R.C. Flemal):

On August 13, 1992, the Board ordered the parties to submit status reports in this proceeding. On November 13, 1992, the Illinois Environmental Protection Agency (Agency) filed its status report and on November 16, 1992, R. Lavin & Sons, Inc., (Lavin) filed its status report<sup>1</sup>. Lavin and the Agency state that they have extended the period for negotiations under the dispute resolution clause in a consent decree entered into by these parties in a related enforcement action, People v. R. Lavin & Sons (1990), No. 90-CH-668. Lavin states that it is currently negotiating with the North Shore Sanitary District and the City of North Chicago to reroute some of Lavin's stormwater discharges, with the earliest conclusion to these negotiations expected at the end of 1992. Lavin requests that the Board set the matter for another status report by February 1993.

The Board hereby orders that the parties submit status reports to be received by the Board on or before February 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 19<sup>th</sup> day of November, 1992, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

<sup>1</sup> Accompanying Lavin's report is a waiver of decision due date. The Board notes that the Environmental Protection Act does not provide for a decision due date in this type of proceeding; therefore, a waiver is not needed.

0137-0247