

ILLINOIS POLLUTION CONTROL BOARD
April 21, 1994

RIVERSIDE LABORATORIES, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 90-164
)	PCB 91-161
ILLINOIS ENVIRONMENTAL)	(Consolidated)
PROTECTION AGENCY,)	(Variance)
)	
Respondent.)	

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

Riverside Laboratories Inc. (Riverside), on April 8, 1994, filed a joint status report pursuant to the Board's order of January 6, 1994, a motion for continuance of stay and a waiver of decision deadline until December 5, 1994. In the status report, Riverside states that related to this consolidated variance petition it has a permit appeal pending before the Board, PCB 90-165, 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 status report further states that on December 16, 1993 a Notice of the Proposed Rulemaking was published in the Federal Register and that the public comment period ended January 18, 1994. (58 Fed. Reg. 65688 (December 16, 1993).) However, the status report states that the date on which the final rule will be issued is unknown. Riverside states that the Agency has agreed that the hearings in this matter should be stayed pending the settlement with the USEPA.

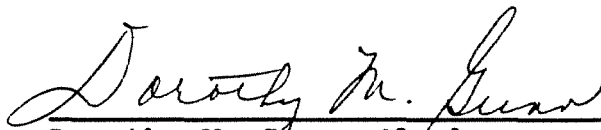
Riverside Laboratories also filed a waiver of the decision deadline extending the deadline until December 5, 1994, and a motion for continuance of the stay until December 5, 1994 or at such other time as the Board deems necessary.

The Board grants a stay in this matter until September 1, 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 August 26, 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 21st day of April, 1994, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board