

ILLINOIS POLLUTION CONTROL BOARD
April 9, 1992

COMMUNITY CONSOLIDATED)	
SCHOOL DISTRICT NO. 15,)	
)	
Petitioner,)	
)	
v.)	PCB 91-75
)	(Underground Storage
ILLINOIS ENVIRONMENTAL)	Tank Reimbursement)
PROTECTION AGENCY,)	
)	
Respondent,)	

ORDER OF THE BOARD (by B. Forcade) :

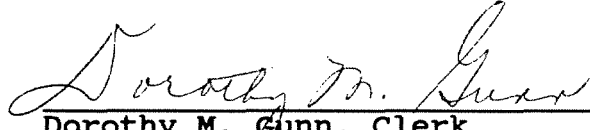
On May 6, 1991, the School District filed a petition for review. On November 20, 1991, the petitioner filed an open waiver of all deadlines for administrative hearings and all other actions along with a status report. A second open waiver and status report were filed with the Board on February 25, 1992.

The School District has initiated an action in the Circuit Court of Cook County, Chancery Division, Board of Education, Community Consolidated School District No. 15, Cook County Illinois v. Office of the State Fire Marshal, 91 CH 04963, for mandamus, declaratory and injunctive relief against the Office of the State Fire Marshal. The School District and the Agency are awaiting the resolution of the action pending in Circuit Court prior to proceeding before the Board, since the decision of the Circuit Court may impact the School District's petition for review. The last status report submitted by the School District reports that the most recent action taken by the Circuit Court was on February 14, 1992, when the court denied the State Fire Marshal's motion to dismiss and ordered the State Fire Marshal to answer or otherwise respond to the School District's complaint before March 13, 1992.

In order to assure that this matter before the Board is handled as expeditiously as possible, the School District is instructed to inform the Board promptly of any changes in the current status of the action before the Circuit Court. The School District is requested to submit a status report to the Board before May 28, 1992, and to submit subsequent status reports every 90 days thereafter.

IT IS SO ORDERED.

I, Dorothy Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 9th day of April, 1992, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board