

ILLINOIS POLLUTION CONTROL BOARD
May 25, 1995

TOWN & COUNTRY GAS & FOOD)
MART, INC.,)
)
Petitioner,)
)
v.) PCB 95-97
) (Variance - Air)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by E. Dunham):

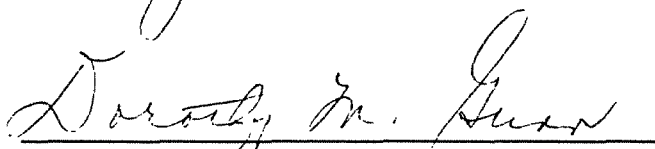
This matter comes before the Board on "Motion for Extension of Time in Which to File Recommendation" filed on May 16, 1995 by the Illinois Environmental Protection Agency (Agency). The Agency requests an extension until June 12, 1995 in which to file the recommendation.

The Agency represents that it has requested additional information from the petitioner which is necessary for the completion of the recommendation. Petitioner's attorney has assured the Agency that the requested information is forthcoming. Petitioner has filed a waiver of the statutory deadline until September 1, 1995 and a motion to vacate the hearing scheduled for May 25, 1995.

The Board grants the Agency an extension until June 12, 1995 to file its recommendation. Pursuant to 35 Ill. Adm. Code 104.108 the Agency is required to file a recommendation on a variance; continued failure of the petitioner to provide the requested information may result in a recommendation that suggests denial of the variance. The Board will not be inclined to grant further extensions to the Agency without good cause.

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 25th day of May, 1995, by a vote of 4-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board