

ILLINOIS POLLUTION CONTROL BOARD
June 3, 1993

CONSOLIDATION COAL COMPANY,)
)
Petitioner,)
)
v.) PCB 93-84
) (UST Fund)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

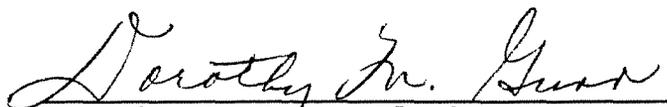
ORDER OF THE BOARD (by B. Forcade):

This matter is before the Board on a May 26, 1993 motion to file the record instanter, filed by the Illinois Environmental Protection Agency (Agency). The petition was filed with the Board on May 6, 1993, and the Agency states that it received notice of the petition on May 6, 1993. Pursuant to 35 Ill. Adm. Code 105.102(a)(4), the Agency record is to be filed with the Pollution Control Board within 14 days "upon notice of the petition". The record was therefore due to be filed on May 20, 1993. The record was filed 20 days after the Agency received notice of petitioner's appeal, and is 6 days late.

Because the Agency's record is necessary for the decision of this proceeding, the motion to allow filing of the Agency record instanter is hereby granted.

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 3rd day of June, 1993, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board