

ILLINOIS POLLUTION CONTROL BOARD
August 5, 1976

INTERLAKE, INC.,)
)
) Petitioner,)
)
) v.) PCB 76-138
)
)
) ENVIRONMENTAL PROTECTION)
) AGENCY,)
)
) Respondent.)

OPINION AND ORDER OF THE BOARD (by Mr. Goodman):

This matter comes before the Board upon the May 11, 1976, Petition for Review of Permit Denial by Interlake, Incorporated (Interlake). The 90-day period within which the Board must act upon this Petition, as required by Section 40 of the Environmental Protection Act, expires as of the Board's meeting today. However, the Board has just today received the record of a hearing held in this matter on July 26, 1976. In addition, the Board has before it three motions herein, none of which are ripe for decision. The Agency's Brief was received two days ago, and the Board has not yet received Interlake's Brief if indeed they intend to file one. The Board finds that the incomplete record in this matter prevents it from reaching an intelligent decision. Therefore, having received a negative response from Interlake to the Board's request for a waiver of the 90-day rule, the Board hereby dismisses the Petition without prejudice.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 5th day of August, 1976 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board