

ILLINOIS POLLUTION CONTROL BOARD
February 1, 1996

COLOR COMMUNICATIONS, INC.,)	
)	
Petitioner,)	
)	PCB 96-125
v.)	(Permit Appeal - Air)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by M. McFawn):

This matter is before the Board on a "Motion for Waiver of Requirements" filed by the Illinois Environmental Protection Agency (Agency) on January 16, 1996. The Agency requests that the Board waive the requirement of 35 Ill. Adm. Code 103.123, that it file ten (10) copies of all pleadings, as that requirement pertains to the filing of its answer, as required by Section 105.102(c)(7). Section 105.102(c)(7), which pertains only to Clean Air Act Permit Program (CAAPP) appeals, directs the Agency to file within 30 days after service of the petition:

an answer consisting of the entire Agency record of the CAAPP application including the CAAPP permit application, the hearing record, the CAAPP permit denial or issuance letter and correspondence with the applicant concerning the CAAPP permit application.

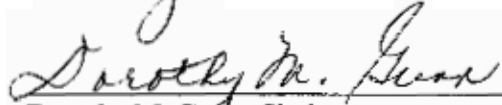
(35 Ill. Adm. Code 105.102(c)(7).)

In support of its motion, the Agency states that the record in this matter consists of 1,006 pages. The Agency requests that it be allowed to file only an original and three (3) copies of its "Answer, including the entire Administrative Record."

The Agency is hereby given leave to file with the Board an original and four (4) copies of its answer, as defined in 105.102(c)(7). However, if the Agency chooses to file with the Board any legal arguments in response to the petition for review, the Agency shall file an original and nine (9) copies of such pleading. The Agency shall file an original and nine (9) copies of all other pleadings, as required by 35 Ill. Adm. Code 103.123.

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 1st day of February, 1996, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board