

ILLINOIS POLLUTION CONTROL BOARD
October 7, 1993

ARCHER DANIELS MIDLAND)	
COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 92-109
)	(Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J. Anderson):

This matter comes before the Board on the Board's own motion. On August 13, 1992, the Board, in response to a motion of the Illinois Environmental Protection Agency (Agency), extended its deadline for filing the record until December 15, 1992, with leave to request an extension, assuming Archer Daniels Midland (ADM) further waived the decision deadline, which at that time was waived until March 5, 1993. Subsequently, on October 22, 1992, ADM waived decision until June 30, 1993. Then, on January 27, 1993, ADM filed a further waiver of decision, until December 31, 1993, stating:

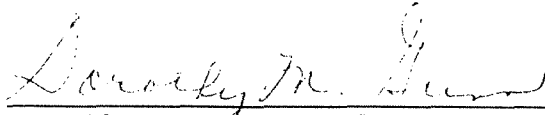
ADM intends to submit its permit application covering all of these matters by mid-February which would allow for the issuance of a permit which would moot this appeal by this summer.

On October 6, 1993 ADM filed a further waiver of decision, until June 30, 1994, so the Board will not order this matter to hearing at this time.

However, the Board notes that the Agency has not requested an extension of its deadline for filing the record since the Board-granted extension to December 31, 1992. While we may assume that the Agency's non-compliance with the December 31st filing deadline as well as its failure to request an extension can be attributed to inadvertence, the situation must be remedied. The Agency is directed to file the record by October 18, 1993, or request an extension of the filing date to a date certain no later than March 1, 1994.

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 7th day of October, 1993, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board