

ILLINOIS POLLUTION CONTROL BOARD
October 21, 1993

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

ORDER OF THE BOARD (by J. Anderson):

On October 20, 1993, the Illinois Environmental Protection Agency (Agency) filed a motion to extend the time to file the Agency record until March 1, 1994.¹ The Agency asserts that the petitioner does not object to the Agency's motion. The petitioner filed this permit appeal with the Board on July 21, 1992.

The Board notes that its order of October 7, 1993 included a directive to the Agency to either file the record by October 18, 1993 or request an extension of the filing date to a date no later than March 1, 1994. As that order noted (as does the Agency in its instant motion), the Agency had not requested an extension since the last Board-granted extension of December 31, 1992.

In its motion, the Agency states that it and the petitioner are engaged in serious discussions. The Agency further notes that the petitioner "has indicated that it will submit an application for a permit by October 17, 1993 which would allow for the issuance of a permit which would moot this appeal". The Agency further states that, should this matter be settled prior to a hearing, the extension will avoid the unnecessary use of scarce resources in assembling the record.

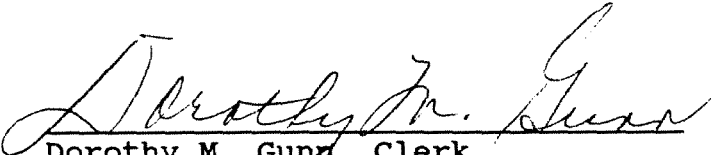
As the Board's October 7, 1993 order noted, the petitioner has granted another waiver until June 30, 1994.

The Board hereby grants the Agency's motion.

IT IS SO ORDERED.

¹ The Board notes that this motion was incorrectly directed to the hearing officer.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 21st day of October, 1993, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board