

ILLINOIS POLLUTION CONTROL BOARD  
September 9, 1993

J & M PLATING, INC., )  
 )  
Petitioner, )  
 )  
v. ) PCB 93-73  
 ) (Permit Appeal)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

ORDER OF THE BOARD (by J. Anderson):

On August 23, 1993 J&M Plating, Inc. (J&M) filed a motion requesting the Board to supplement the record by incorporating another document into J&M's earlier supplement to the administrative record. The requested supplement, attached as Group Exhibit T, consists of an Illinois Environmental Protection Agency (Agency) document dated February 13, 1985: In the Matter of: Alloy Plating Corporation, Notice to Parties Liable for a Release or a Substantial Threat of a Release. The Agency has not responded to the motion.

In support of its motion to supplement, J&M states that it inadvertently omitted the above document when it filed an earlier July 19, 1993 motion to supplement the record.<sup>1</sup> The July 19, 1993 motion was granted by the Board on August 5, 1993.

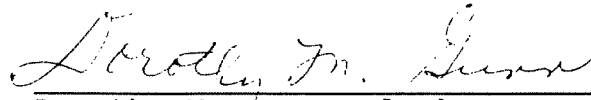
J&M asserts that the attached Group Exhibit T: a) shows that the Agency itself in 1985 alleged a release of certain hazardous substances at the site with a threat of further releases in the future; and b) that despite formal allegations contained in the Agency's February, 1985 notice, the Agency "did not require a full site characterization and cleanup in 1985 and 1986". J&M further asserts that Group Exhibit T is provided from the Agency's own files, having been obtained as a result of a Freedom of Information Act Request as shown by Group Exhibit S of the petitioner's earlier supplement to the record.

The Board grants J&M's motion to incorporate Group Exhibit T into its earlier supplement to the record for the reasons expressed in the Board's August 5, 1993 order. The Board will not repeat those reasons here except to again emphasize that it is not inferring that it has hereby determined that the information contained in the exhibits is relevant to this matter.

IT IS SO ORDERED.

<sup>1</sup> We note that on June 3, 1993, the Board also granted a May 26, 1993 motion by the Agency to supplement the record.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 9<sup>th</sup> day of September, 1993, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board