

ILLINOIS POLLUTION CONTROL BOARD  
August 26, 1993

CP INORGANICS, )  
 )  
Petitioner, )  
 )  
v. ) PCB 93-140  
 ) (Permit Appeal)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

ORDER OF THE BOARD (by B. Forcade):

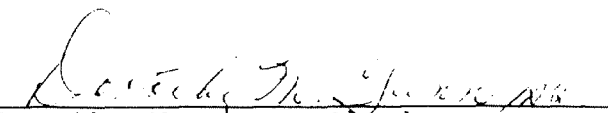
On August 11, 1993, the Illinois Environmental Protection Agency (Agency) filed a Motion for Extension of Time to File Agency Record. The Agency requests an additional 120 day extension. The petitioner has waived the decision deadline until February 1, 1994. The Agency record is to be filed within 14 days of notice of the petition. (35 Ill. Adm. Code 105.102.) This appeal was filed on July 27, 1993, therefore, the record was due to be filed on August 10, 1993.

The Agency notes that negotiations are ongoing between the petitioner and the Agency. The Agency maintains that substantial resources would be required to prepare and submit the record.

The Board cannot grant an extension for 120 days as requested by the Agency. The waiver filed by the petitioner extended the decision deadline by 69 days. Therefore, the Board will grant an extension of time for the filing of the Agency record but only for a period equivalent to the time of the waiver. The Agency record is now due to be filed on or before October 15, 1993.

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 26<sup>th</sup> day of August, 1993, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board