

ILLINOIS POLLUTION CONTROL BOARD
May 20, 1993

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

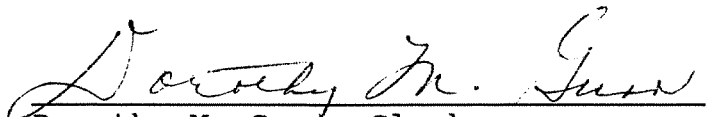
ORDER OF THE BOARD (by J. Anderson):

On May 17, 1993, the Illinois Environmental Protection Agency's (Agency) filed the Agency's record and a motion to file the record instanter. This petition was filed with the Board on April 16, 1993. The Agency states that it received notice of the petition on April 19, 1993. Pursuant to 35 Ill. Adm. Code 105.102(a)(4), the Agency record is to be filed with the Board within 14 days "upon notice of the petition". The record was therefore due to be filed on May 3, 1993. This motion and the record were filed 28 days after the Agency received notice of petitioner's appeal and are 14 days late.

The Board is concerned about the delay in filing this record. The Board also notes with concern the absence of any earlier motion requesting an extension of time. However, because the Agency's record is necessary for the decision of this proceeding, the motion to allow filing of the Agency record instanter is hereby granted.

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 20th day of May, 1993, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

0142-0603