

ILLINOIS POLLUTION CONTROL BOARD
October 1, 1992

IN THE MATTER OF:)
)
PETITION OF THE CITY OF) AS 91-13
ROCK ISLAND FOR AN) (Adjusted Standard)
ADJUSTED STANDARD FROM)
35 ILL. ADM. CODE 304)

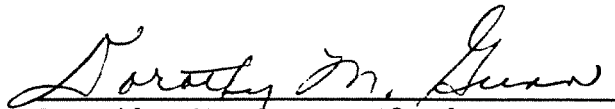
ORDER OF THE BOARD (by R. C. Flemal):

On September 3, 1992, the Board ordered the Agency to file its response to the petition in this matter by October 9, 1992. On September 22, 1992, the petitioner filed a motion to modify the Board order stating that the Agency has requested to review a report to be submitted by the petitioner's consultant, ECOSEARCH, prior to filing its response. The motion requests that the Agency be given 60 days after the Agency's receipt of the report to file its response. The motion states that the final draft of the report is due to Rock Island by September 25, 1992. The petitioner estimates that the Agency will receive the report "by the end of the month" (motion at 2.) The Board further notes that on August 31, 1992, the petitioner filed a waiver of the decision due date until June 17, 1993.

Inasmuch as the date of the Agency's receipt of the ECOSEARCH report continues to be unknown, the Board cannot grant the relief as requested. However, since the draft report is expected to be received by the Agency by September 30, 1992, the Agency shall submit its response to the petition by December 1, 1992. The Board notes that when requesting changes in any deadline dates, a waiver to a calendar date certain is required and that contingent waivers are not acceptable. (See 35 Ill. Adm. Code 101.105 pertaining to waivers of final Board action).

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 1st day of October, 1992 by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

0136-0263