

ILLINOIS POLLUTION CONTROL BOARD
November 19, 1992

SMITH OIL COMPANY)	
OF KANKAKEE,)	
)	
Petitioner,)	
)	
v.)	PCB 91-243
)	(Underground Storage Tank
ILLINOIS ENVIRONMENTAL)	Fund Reimbursement
PROTECTION AGENCY,)	Determination)
)	
Respondent.)	

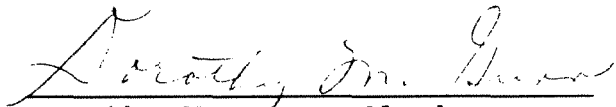
ORDER OF THE BOARD (by G. T. Girard):

On October 19, 1992, the Board received a motion to compel filed by petitioner. The motion states that the Board entered an opinion and order in this case on July 30, 1992, (Smith Oil v. IEPA, PCB 91-243, July 30, 1992, ___ PCB ___) which remanded the matter back to the Agency. The matter was remanded for the Agency to determine the deductible and the reasonableness of the costs incurred by respondent. (Motion at 1, 2.) The motion further states that by a letter dated September 10, 1992, petitioner requested a determination. (Motion at 2.) Petitioner states that there has been no communication from the Agency. (id.)

The Board has not received a response from the Agency in this matter. The time for such response has long passed. (See 35 Ill. Adm. Code 101.220.) Therefore, the Board will grant the petitioner's motion and direct the Agency to make the determination by January 15, 1993.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 19th day of November, 1992, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

0137-0161