

ILLINOIS POLLUTION CONTROL BOARD  
June 3, 1993

M.S. CARVER LUMBER COMPANY,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 93-74
	)	(UST Fund)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

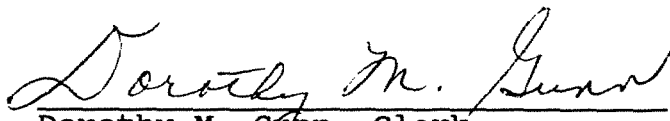
ORDER OF THE BOARD (by C. A. Manning):

This matter comes before the Board on a May 27, 1993 motion to file the record instanter filed by the Illinois Environmental Protection Agency (Agency). This petition was filed with the Board on April 15, 1993, and the Agency asserts that it received notice of the petition on April 16, 1993. Pursuant to 35 Ill. Adm. Code 105.102(a)(4), the Agency record is to be filed with the Pollution Control Board within 14 days "upon notice of the petition". The record was therefore due to be filed on April 30, 1993. This motion and the record were filed 42 days after the Agency received notice of petitioner's appeal, and are 28 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. The Agency's 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 3rd day of June, 1993, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

0143-0075