

ILLINOIS POLLUTION CONTROL BOARD  
September 26, 1991


DEPARTMENT OF THE ARMY, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 91-113  
 ) (Variance)  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by J.C. Marlin):

By Order of July 11, 1991, the Board directed petitioner to file an amendment curing certain deficiencies in its July 8, 1991 petition. The amended petition filed September 18, 1991, provided all requested data except for the document referenced as No. 19, which was "in press" as of July 8 and which petitioner now reports is still "not yet completed". At this time, the Board will not require the submission of this document prior to moving forward with this case. The Board construes the September 18, 1991 filing date of the amended petition as the date which starts the timeclock for actions required by Section 35-38 of the Act. As hearing has been waived, the Board will hold the petition for the Agency's Recommendation. Petitioner is directed to file Reference 19 if completed before the close of the record in this matter. In the event the Agency believes that this document is necessary to preparation of its Recommendation, the Agency may of course file a motion or any other appropriate filing.

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 September, 1991 by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board