

ILLINOIS POLLUTION CONTROL BOARD
May 10, 1990

MINNESOTA MINING AND)
MANUFACTURING COMPANY,)
)
Petitioner,)
)
v.) PCB 90-45
) (Variance)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

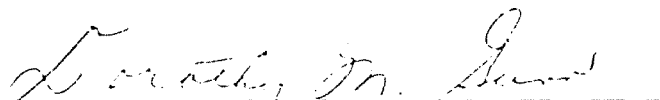
ORDER OF THE BOARD (by R. C. Flemal):

This matter comes before the Board upon the April 23, 1990 motion of Petitioner to supplement its Petition for Variance, as originally filed on April 2, 1990. This motion is granted.

As a subsidiary matter, the Board notes Petitioner's belief that the supplement to the Petition does not constitute an Amended Petition. However, as a general rule, any filing of new information by a petitioner constitutes an Amended Petition which, among other matters, resets the 120-day decision clock (e.g., City of Mt. Olive v. IEPA, PCB 83-9, 54 PCB 101; Mobil Oil Co. v. IEPA, PCB 84-37, 60 PCB 41; Marathon Petroleum Corp. v. IEPA, PCB 85-83, 66 PCB 25; City of Geneva v. IEPA, PCB 86-225, 78 PCB 11 and 78 PCB 378; City of Springfield v. IEPA, PCB 88-113, 92 PCB 483). The 120-day decision clock shall accordingly be calculated as tolling from April 23, 1990.

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 15th day of May, 1990, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board