

ILLINOIS POLLUTION CONTROL BOARD  
May 14, 1987

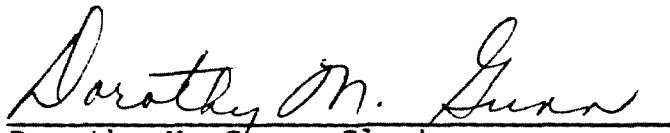
PIKE COUNTY SAND AND GRAVEL, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 87-50  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY )  
 )  
 Respondent. )

ORDER OF THE BOARD (by J. Anderson):

On May 8, 1987, the Agency moved for dismissal of this permit appeal with leave to refile. The motion is denied. The informational deficiencies which were the basis for the Agency's motion were noted by the Board in its Order of April 30, 1987 requiring the filing of an amended petition. (The Board assumes that its Order and the Agency's motion crossed in the mail.) Additionally, the Board questions its authority to grant leave to refile a permit appeal after the statutory 35 day time for the filing of an appeal has expired.

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 14<sup>th</sup> day of May, 1987, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board