

ILLINOIS POLLUTION CONTROL BOARD
January 27, 1983

JOHN L. DONOVAN,)
)
 Petitioner,)
)
 v.) PCB 81-134
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)


ORDER OF THE BOARD (by D. Anderson):

On January 10, 1983 the intervenors filed a motion to dismiss this variance request, citing delays in the filing of the transcript, exhibits and brief by the petitioner. The transcript was filed prior to the filing of the motion, and the exhibits and brief were filed on January 12, 1983. On January 20 petitioner filed a "motion to dismiss" the motion, and on January 24 the intervenors filed a "response". These are deemed to be a response and a reply, respectively, and the intervenors are granted leave to reply [35 Ill. Adm. Code 103.140(c)].

In that the case is nearly ready for decision, the Board will consider the grounds alleged for dismissal in connection with its decision of the case. Intervenors and the Illinois Environmental Protection Agency shall have until March 4, 1983 in which to file briefs.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 27th day of January, 1983 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board