

In addition, we find that due to a docketing error, the 90 day period for action by the Board has elapsed. Therefore, Petitioner could deem its variance request granted by operation of law under the provisions of Section 38 of the Environmental Protection Act.

For the reasons specified in this Opinion the Petition is granted.

ORDER

It is Ordered that the period of time for the complete installation of the afterburner and related components and for the results of the stack test to be filed with the Board be extended to January 15, 1974.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted this 20th day of June, 1974 by a vote of 5 to 0.

Christan L. Moffett