



Hearings will be scheduled and completed in a timely manner, consistent with the decision deadline (*see* 415 ILCS 5/40(a)(2) (2006)), which only Yesley may extend by waiver (*see* 35 Ill. Adm. Code 101.308). If the Board fails to take final action by the decision deadline, Yesley may deem its request granted. *See* 415 ILCS 5/40(a)(2) (2006). Currently, the decision deadline is January 9, 2008, which is the 120th day after the Board received the petition. *See* 35 Ill. Adm. Code 105.114. The Board meeting immediately before the decision deadline is scheduled for December 20, 2007.

Unless the Board or the hearing officer orders otherwise, the Agency must file the entire record of its determination by October 11, 2007, which is the first business day following the 30th day after the Board received Yesley's petition. *See* 35 Ill. Adm. Code 105.410(a). If the Agency wishes to seek additional time to file the record, it must file a request for extension before the date on which the record is due to be filed. *See* 35 Ill. Adm. Code 105.116. The record must comply with the content requirements of 35 Ill. Adm. Code 105.410(b).

Finally, the Board notes that on September 12, 2007, Yesley filed a motion to consolidate this case with fourteen other UST appeals. The Board reserves ruling on that motion to allow the Agency's response time to run. *See* 35 Ill. Adm. Code 101.500(d).

IT IS SO ORDERED.

I, John Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 20, 2007, by a vote of 4-0.



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John Therriault, Assistant Clerk  
Illinois Pollution Control Board