

ILLINOIS POLLUTION CONTROL BOARD
January 22, 1981


SHELL OIL COMPANY,)
)
Petitioner,)
)
v.) PCB 81-2
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by D. Satchell):

On January 7, 1981 Shell Oil Company filed a petition for hearing and notice of appeal of a permit issued by the Illinois Environmental Protection Agency (Agency) November 13, 1980 and a motion for leave to file the petition instanter. Section 40 of the Environmental Protection Act requires that the petition be filed within thirty-five days of the Agency's action. The petition was filed after the lapse of the thirty-five day period. However, since no response to the motion has been filed by the Agency, the Board will grant the motion for leave to file instanter [Procedural Rules 308 and 509(a)(6)].

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 22nd day of January, 1981 by a vote of 5-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board