

ILLINOIS POLLUTION CONTROL BOARD  
July 10, 1980

ACE HARDWARE CORPORATION, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 80-99  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY; COUNTY OF DU PAGE, )  
 ILLINOIS; VILLAGE OF LISLE, )  
 ILLINOIS AND VILLAGE OF WOODRIDGE, )  
 ILLINOIS, )  
 )  
 Respondents. )

ORDER OF THE BOARD (by I. Goodman):

On May 15, 1980 the Board found that the petition herein was deficient. Jurisdiction, for purposes of the 90-day statutory period for decisions, was not then taken. The Board ordered, however, that the deficiency could be cured by joining the appropriate local sewerage district authorities as parties within 45 days.


On June 27, 1980, Petitioner filed a motion to join additional parties pursuant to the Board's Order of May 15, 1980. Paragraph 10 thereof alleges service on the County of DuPage and the Villages of Lisle and Woodridge. The Board finds that such entities constitute the appropriate local sewerage district authorities, and therefore takes jurisdiction of the petition for variance. The 90-day period, therefore, runs from the date of filing, which is June 27, 1980.

The Agency's motion for continuance of the hearing set for July 15, 1980 is granted. The hearing officer is ordered to set and hold all hearings herein by July 28, 1980.

The Board construes Petitioner's July 7, 1980 Response as a motion for expedited consideration. This motion is granted. Decision in this matter is set for August 21, 1980, assuming Petitioner supplies the Board with the hearing record in sufficient time for Board review.

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 10<sup>th</sup> day of July, 1980 by a vote of 5-0.

  
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Christan L. Moffett, Clerk  
Illinois Pollution Control Board