ILLINOIS POLLUTION CONTROL BOARD
January 5, 1989

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| MARATHON PETROLEUM COMPANY, | ) | |
| | ) | |
| Petitioner, | ) | |
| | ) | |
| v. | ) | PCB 88-179 |
| | ) | |
| ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, | ) | |
| | ) | |
| Respondent. | ) | |

ORDER OF THE BOARD (by J. Anderson):

On January 4, 1989, the Agency filed its multi-volume record in this appeal of a RCRA Part B permit. The record was accompanied by a motion for leave to file instanter, which is hereby granted.

The Board notes that two of these volumes is labelled "Exhibit L: Confidential Documents". The Board is unable to determine from the face of the exhibit as to whether these are documents which were claimed 1) to be trade secrets pursuant to 35 Ill. Adm. Code Part 120, and if so, whether any trade secret determination has been made, or 2) to be "confidential" on some other basis, and if so, what this basis was.

The Board directs the parties to advise it of the status of these documents on or before January 16, so that this issue can be addressed by the Board again at its January 19 meeting. The Board will accord all copies of Exhibit L trade secret protection, and will not place them in the public inspection files, at least through January 19, 1989.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 5th day of January, 1989, by a vote of 7-0.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board