

ILLINOIS POLLUTION CONTROL BOARD  
May 11, 1995

TNT HOLLAND MOTOR EXPRESS, INC.,     )  
   )  
    Petitioner,                             )  
   )  
    v.   )     PCB 94-133  
   )     (UST-Fund)  
OFFICE OF THE STATE FIRE MARSHAL,     )  
   )  
    Respondent.                            )

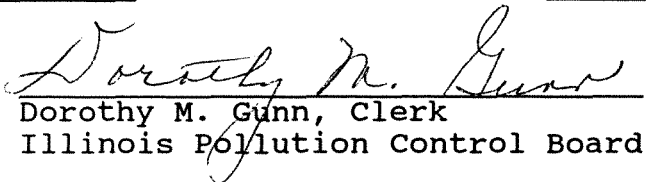
ORDER OF THE BOARD (J. Theodore Meyer):

This matter is before the Board on a TNT Holland Motor Express (TNT) Motion for Leave to File Reply and a Reply to Respondent's Response to Petitioner's Motion for Summary Judgment, filed on April 27, 1995.

As promulgated by the Board's procedural rules, the moving party does not have the right to file a reply, except as permitted by the Hearing Officer or the Board. The Board notes that the reply is necessary to prevent material prejudice in this matter; that petitioner timely filed its motion to file and its reply; and, that OSFM has not responded to the motion nor the reply. Therefore, the Board grants petitioner's motion, and accepts its reply.

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 11<sup>th</sup> day of May, 1995, by a vote of 5-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board