

ILLINOIS POLLUTION CONTROL BOARD  
March 25, 1993

H & H TOWING-PHILLIPS 66,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 93-12
	)	(UST Fund)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

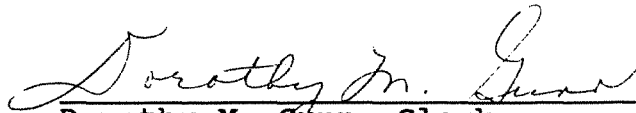
ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on a March 10, 1993 motion to file the record instanter, filed by the Illinois Environmental Protection Agency (Agency). This petition was filed with the Board on January 25, 1993, and the Agency states that it received notice of the petition on January 26, 1993. Pursuant to 35 Ill. Adm. Code 105.102(a)(4), the Agency record is to be filed with the Pollution Control Board within 14 days "upon notice of the petition". The record was therefore due to be filed on February 9, 1993. This motion and the record are 29 days late.

The Board is concerned about the delay in filing this record. The Board also notes with concern the absence of any earlier motion requesting an extension of time. However, because the Agency's record is necessary for the decision of this proceeding, the motion to allow filing of the Agency record instanter is hereby granted.

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 25<sup>th</sup> day of March, 1993, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board