

ILLINOIS POLLUTION CONTROL BOARD
May 7, 1992

THE GRIGOLEIT COMPANY,)
)
 Petitioner)
)
 v.) PCB 92-23
) (Permit Appeal)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. Anderson):

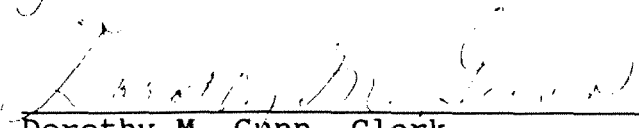
On April 27, 1992, the Illinois Environmental Protection Agency's (Agency) filed a motion requesting a 14 day extension of time to file the Agency record in this matter. The Grigoleit Company (Grigoleit) has not yet filed a response to the motion.

In support of its motion, the Agency notes that Grigoleit filed a petition appealing the Agency's issuance of a January 6, 1992 operating permit to Grigoleit. On February 27, 1992, the Board found Grigoleit's permit appeal to be deficient and directed Grigoleit to correct the deficiencies via an amended petition to be filed within 45 days of the date of the order. The Agency states that it received Grigoleit's amended petition on April 14, 1992, but that it will need the extension because there are only a limited number of Agency personnel to prepare the record and because the record is voluminous.

35 Ill. Adm. Code 101.241(b) prohibits the Board from granting any motion before the expiration of the 7-day response period unless undue delay or material prejudice would result. Because the Agency requests a 14 day extension and the Board's next meeting is scheduled for May 21, 1992, the Board hereby grants the Agency's motion in order to avoid undue delay. The Agency's response must be received by the Board no later than May 21, 1992.

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 7th day of May, 1992, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board