

ILLINOIS POLLUTION CONTROL BOARD
January 20, 1994

VILLAGE OF HODGKINS,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

PCB 93-230
(UST Fund)

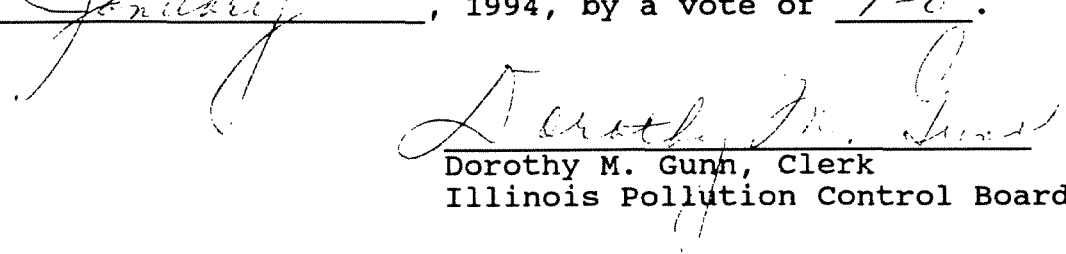
ORDER OF THE BOARD (by M. Nardulli):

This matter is before the Board on a January 14, 1994, motion to file the record instanter filed by the Illinois Environmental Protection Agency (Agency). Petitioner's amended appeal of the Agency's decision was filed with the Board on December 13, 1993, and the Agency received notice on that same day. 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 December 28, 1993. This motion and the record were filed 32 days after notice, and are 18 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, as the Act requires the Board to consider the record in reaching its decision, the Agency's motion to allow filing of the 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 20th day of January, 1994, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board