

ILLINOIS POLLUTION CONTROL BOARD
July 1, 1993

GRIFFIN SERVICE,)	
)	
Petitioner,)	
)	
v.)	PCB 93-104
)	(UST Fund)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

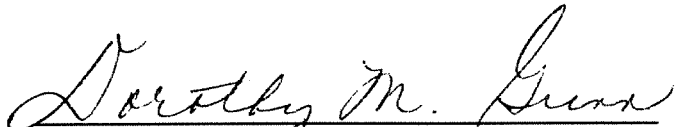
ORDER OF THE BOARD (by B. Forcade):

This matter is before the Board on a June 28, 1993 motion to file the record instanter, filed by the Illinois Environmental Protection Agency (Agency). The petition was filed with the Board on May 24, 1993, and the Agency states that it received notice of the petition on May 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 June 9, 1993. The record was filed 33 days after the Agency received notice of petitioner's appeal, and is 19 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 1st day of July, 1993, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board