

ILLINOIS POLLUTION CONTROL BOARD
January 9, 1992

CITY OF MORRIS,)
)
 Petitioner,)
)
 v.) PCB 86-4
) (CSO Exception)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY,)
)
 Respondent.)

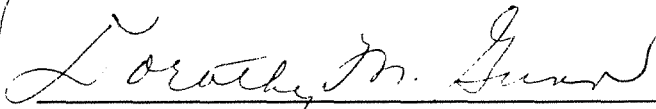
ORDER OF THE BOARD (by R. C. Flemal):

This matter comes before the Board on a motion to modify Board order filed December 2, 1991 by the City of Morris (Morris). In its motion, Morris requests that the Board extend the date for filing of an amended petition for exception from November 1, 1991 to November 1, 1992. The date for filing of the amended petition is contained in condition #4 of the Board's April 7, 1988 Opinion and Order. In support of this motion, Morris, among other things, states that insufficient rainfall during 1991 has prevented it from collecting data necessary to complete its petition. On January 8, 1992, the Illinois Environmental Protection Agency (Agency) filed an untimely response to the motion without requesting leave to file the motion instantner.

The Board observes that facts asserted in the motion that are not of record are not supported by affidavit as required by the Board's procedural rules (35 Ill. Adm. Code 101.242). The affidavit shall be submitted to the Board not later than Tuesday, January 21, 1992. The Board anticipates ruling upon this motion at its January 23, 1992 meeting.

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 9th day of January, 1992, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board