

ILLINOIS POLLUTION CONTROL BOARD  
April 8, 1993

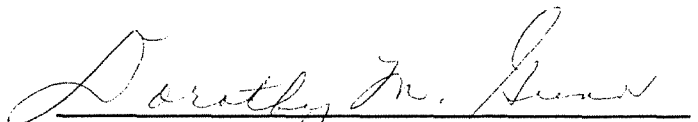
LONE STAR INDUSTRIES, )  
 )  
Petitioner, )  
 )  
v. ) PCB 92-134  
 ) (Variance)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

ORDER OF THE BOARD (by B. Forcade):

This matter comes before the Board on the Illinois Environmental Protection Agency's (Agency) motion to file the Agency recommendation on Lone Star's amended petition instanter. The motion and the Agency's recommendation were filed on March 22, 1993. The Agency recommendation is to be filed within thirty days of the filing of any amendment to the petition for variance. (35 Ill. Adm. Code 104.180.) Lone Star filed its amended petition on January 29, 1993. Therefore, the Agency recommendation in this matter was due on March 2, 1993 and was filed 20 days late. The Board notes the hearing on the amended petition was held on March 24, 1993. Lone Star has not filed a response to the Agency's motion to file instanter. The Agency's motion to file the recommendation 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 8<sup>th</sup> day of April, 1993, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board