

ILLINOIS POLLUTION CONTROL BOARD
May 7, 1992

SHELL OIL COMPANY,)
)
Petitioner,)
)
v.) PCB 90-27
) (Variance)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

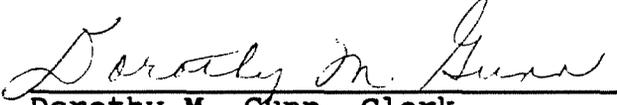
ORDER OF THE BOARD (by M. Nardulli):

This matter comes before the Board on an April 22, 1992 motion to file instanter a status report filed on behalf of petitioner Shell Oil Company. This petition was filed with the Board on March 5, 1990. On January 29, 1992, the parties filed a joint status report. On February 6, 1992, the Board ordered the parties to file another status report with the Board to be received by the Board no later than April 6, 1992. Petitioner asserts that the attorney assigned to this matter was on sick leave from January 30, 1992 until April 16, 1992. Additionally, the Board's order was inadvertently placed in a file and was not discovered until the attorney returned. Finally, the attorney was unable to contact respondent's attorney prior to the filing of this motion. Petitioner's motion to file the status report instanter is hereby granted.

The status report indicates that the petitioner has not yet received the Illinois Environmental Protection Agency's (Agency) variance recommendation, or any written response to its mixing zone study that was submitted to the Agency on May 17, 1991. The Board notes that the Agency recommendation is over two years late. The Board also notes that there has been no request for an extension of the time in which to file the Agency recommendation. Therefore, the Board directs the Agency to file its variance recommendation with the Board to be received by the Board no later than 30 days from the date of this order.

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