

ILLINOIS POLLUTION CONTROL BOARD  
October 29, 1992

IDEAL HEATING COMPANY,	)	
an Illinois corporation,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 92-118
	)	(Underground Storage
ILLINOIS ENVIRONMENTAL	)	Fund Reimbursement
PROTECTION AGENCY,	)	Determination)
	)	
Respondent.	)	

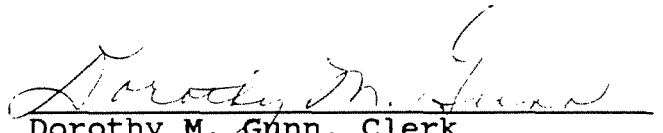
ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on an October 23, 1992 motion to file the record instanter, filed by the Illinois Environmental Protection Agency (Agency). This petition was filed with the Board on August 19, 1992, and the Agency states that it received notice of the petition on August 24, 1992. 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 September 8, 1992. This motion and the record were filed 60 days after the Agency received notice of petitioner's appeal, and are 45 days late.

The Board is concerned about the significant 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 29th day of October, 1992, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

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