

ILLINOIS POLLUTION CONTROL BOARD  
February 25, 1993

SANGAMON COUNTY, )  
 )  
 Petitioner, )  
 )  
 v. ) AC 92-77  
 ) (SCDPH-92-AC-19)  
 MCCABE PACKING COMPANY, ) (Administrative Citation)  
 )  
 Respondent. )

ORDER OF THE BOARD (by J. C. Marlin):

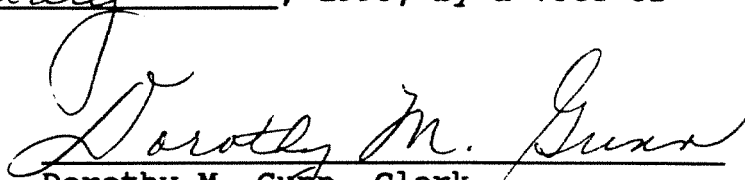
On November 4, 1992, Sangamon County filed an Administrative Citation with the Board. The Illinois Environmental Protection Act ("Act") allows parties 35 days from the date of service to appeal the Administrative Citation. (415 ILCS 5/31.1(b)(4).)<sup>1</sup> McCabe did not file a petition for review within 35 days. On December 17, 1992, the Board entered a default order in this matter.

On February 11, 1993, the parties filed a stipulated agreement with the Board. The Board's procedural rules specifically state that motions for reconsideration shall be filed within thirty-five days of the adoption of the order. (35 Ill. Adm. Code 101.246.)

This stipulation is not timely filed and the Board does not accept it as a motion to reconsider. The parties shall abide by the December 17, 1992 default 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 25<sup>th</sup> day of February, 1993, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

<sup>1</sup> The Act was previously codified at 1991, 35 Ill. Rev. Stat., ch. 111 1/2 1001 et seq.

0139-0657