ILLINOIS POLLUTION CONTROL BOARD
March 11, 1992

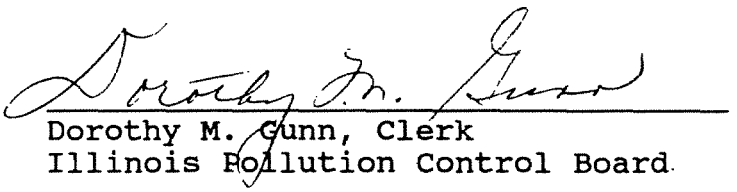
WARREN'S SERVICE,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 92-22
	)	(Underground Storage Tank Fund
	)	Reimbursement Determination)
	)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

This matter comes before the Board on a February 28, 1992 motion to file the record instanter filed by the Illinois Environmental Protection Agency (Agency). This petition was filed with the Board on February 7, 1992, and the Agency asserts that it received notice of the petition on February 10, 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". This motion was filed 18 days after the Agency received notice of the petitioner's appeal and is four days late. The Agency stated that it believes no prejudice has occurred to petitioner due to the delay. The Agency's 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 11th day of March, 1992, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board