

ILLINOIS POLLUTION CONTROL BOARD  
December 2, 1993

EDGEWATER BEACH APARTMENTS	)	
CORPORATION,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 93-183
	)	(UST Fund)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

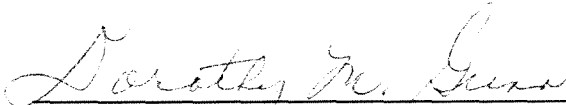
ORDER OF THE BOARD (by M. Nardulli):

This matter is before the Board on a petition for review filed by petitioner Edgewater Beach Apartments Corporation (Edgewater) on October 6, 1993, seeking review of the Illinois Environmental Protection Agency's denial of reimbursement of costs from the Underground Storage Tank Fund. On November 5, 1993, Edgewater filed an amended petition and the Agency received notice on November 8, 1993. 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 November 22, 1993. This motion and the record were filed 23 days after notice, and are 9 days late.

The Board is concerned about the delay in filing this record. The Board also notes with concern the absence of any earlier motion requesting an extension of time. However, as the Act requires the Board to consider the record in reaching its decision, the Agency's motion to allow filing of the record instantaner 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 2<sup>nd</sup> day of December, 1993, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board