

ILLINOIS POLLUTION CONTROL BOARD
September 3, 1992

IN THE MATTER OF:)
)
PETITION OF D&L LANDFILL, INC.) AS 92-5
AND D&L DISPOSAL, INC. FOR) (Adjusted Standard)
ADJUSTED STANDARD FOR 35 ILL.)
ADM. CODE, SECTIONS 814.104(a))
AND 814.501)

ORDER OF THE BOARD (by J. Anderson):

On August 24, 1992, the Agency filed its response to this May 29, 1992 petition. The response was accompanied by a motion for leave to file instanter; the response was due to be filed on June 29, 1992, and is therefore nearly two months late.

In support of its motion, the Agency states that due to a death in the family of the assigned attorney, the limited availability of Agency technical staff because of vacations, and the press of Agency business, the assigned attorney was unable to prepare the Agency recommendation prior to this time.

The Board is concerned about the significant delay in filing this response. 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 Agency response in making its decision, the Agency's motion to allow filing of the Agency response 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 3rd day of September, 1992, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

0135-0563