

ILLINOIS POLLUTION CONTROL BOARD  
November 2, 1995

COMMUNITY TRUST BANK,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 94-157
	)	(UST Fund)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by G. T. Girard):

This matter comes before the Board on a motion to file the record instantler filed by the Illinois Environmental Protection Agency (Agency). This petition was filed with the Board on May 24, 1994, and the Agency asserts that it received notice of the petition on May 25, 1994. 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 June 8, 1994. This motion and the record were filed 517 days after the Agency received notice of petitioner's appeal, and are 512 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. The Agency's motion to allow filing of the Agency record instantler 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 \_\_\_\_ day of \_\_\_\_\_, 1994, by a vote of \_\_\_\_.

Control Board

\_\_\_\_\_  
Dorothy M. Gunn, Clerk  
Illinois Pollution