

ILLINOIS POLLUTION CONTROL BOARD

May 7, 1992

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|----------------------------------|---|----------------------|
| CITY OF LAKE FOREST, a municipal |) | |
| corporation of Illinois, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 92-36 |
| |) | (Underground Storage |
| ILLINOIS ENVIRONMENTAL |) | Tank Fund) |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

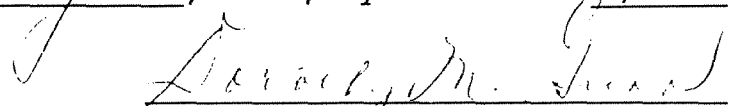
ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on the Illinois Environmental Protection Agency's (Agency) May 4, 1992 motion to file the record instanter. The Agency notes that it received notice of this appeal on February 26, 1992, and that the Board's rules require the Agency to file the record within 14 days of notice of the petition. The Agency states that due to press of business, it was unable to complete preparation of the record earlier.

The Board will reluctantly grant the motion to file instanter. The record was due on March 11, 1992, and is filed 54 days late. The Agency did not file a motion for extension of time, as would be the proper practice with a delay of this length. However, because the Board's review of this case must be based upon the record before the Agency, the Board has no alternative but to grant the motion.

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 7th day of May, 1992, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board