

ILLINOIS POLLUTION CONTROL BOARD  
February 26, 1986

ELECTRIC ENERGY, INC., )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 85-171  
 )  
 ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by J. Marlin):

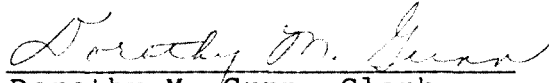
On February 13, 1986, the Illinois Environmental Protection Agency ("Agency") filed its recommendation and a motion to file the recommendation instanter.

This proceeding began with the filing of a petition for variance by Electric Energy on October 31, 1985. By Board rule, the recommendation was due thirty days later. Since November 30 was a Saturday, the recommendation was due on December 2, 1985. The recommendation has been filed 73 days late.

While mindful of the late filing by the Agency, the Board must necessarily accept the late filing. The Agency motion for filing its recommendation instanter is 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 26<sup>th</sup> day of February, 1986, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board