

ILLINOIS POLLUTION CONTROL BOARD
December 20, 1990

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 89-207
)	(IEPA Case No. 9892-AC)
CHICAGO HEIGHTS REFUSE DEPOT, INC.,)	(Administrative Citation)
)	
Respondent.)	

ORDER OF THE BOARD BY (J. C. Marlin):

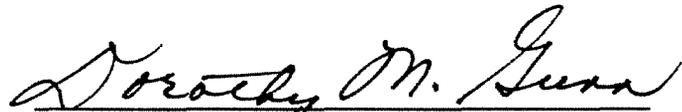
This matter comes before the Board on the November 19, 1990 petition filed by the respondent. The petition requests that the Board vacate a November 2, 1989 Default Order against the respondent. That order found the Chicago Heights Refuse Depot operating a sanitary landfill in violation of Section 21(p)(3) of the Environmental Protection Act. The Default Order was issued after respondent failed to file a petition for review with the Board.

The Illinois Environmental Protection Agency (Agency) filed an "Agency Motion in Opposition to Petition to Vacate" on November 29, 1990. The Agency states that the respondent has been a party to a prior administrative citation proceeding and is therefore aware of the time limits for filing a petition for review and a motion for reconsideration.

The Board's procedural rules (35 Ill. Adm. Code 101) provide several methods for relief from Board final orders. These methods are constrained by time limits for filing for such relief. The petition of Chicago Heights Refuse Depot is not timely filed and states no basis for relief from the Board's November 2, 1989 final order. The petition is hereby denied.

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 20th day of December, 1990, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board