

ILLINOIS POLLUTION CONTROL BOARD
May 18, 1984

OUTBOARD MARINE CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 84-26
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY)
 and AMERICAN TOXIC DISPOSAL, INC.,)
)
 Respondents.)

INTERIM ORDER OF THE BOARD (by J. Anderson):

On May 10, 1984 the Illinois Environmental Protection Agency (Agency), by its attorney Gary P. King, filed a motion entitled "Motion for Extension of Time to File Answer to Amended Petition and Affidavit". This Motion requests an extension of the filing period to June 15, 1984. On May 11, 1984, the petitioner filed an objection to the granting of this extension.

The Board is committed to seeing this appeal proceed expeditiously. However, the Board also recognizes that this is the first appeal of a trade secret determination arising under the new Part 120 procedures, and that, accordingly, all the parties involved are confronted with a new procedural framework, including short timeframes for filing pleadings containing all facts and legal arguments. Given the newness of these procedures, as well as the fact that there is little indication in the record that any prejudice will result from granting an extension, the Board believes an extension of the filing period is appropriate in this case.

We note that American Toxic Disposal, Inc. (ATD), the other respondent in this case, also filed for an extension of this filing period. By an Interim Board Order dated May 3, 1983 the Board granted ATD until June 1, 1984 to file its answer. This 20 day extension should provide adequate time for the Agency as well as ATD to prepare its answer to the petition. Therefore, an extension will be granted for the Agency until June 1, 1984 rather than June 15, 1984 as requested.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Interim Order was adopted on the 18th day of May, 1984 by a vote of 6-0.

Christan L. Moffett
Christan L. Moffett, Clerk
Illinois Pollution Control Board