

ILLINOIS POLLUTION CONTROL BOARD
February 18, 1999

GENERAL ELECTRIC COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 99-75
)	(Permit Appeal - Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by K.M. Hennessey):

On December 9, 1998, the Illinois Environmental Protection Agency (Agency) and petitioner filed a request for extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act (Act) (415 ILCS 5/40(a)(1) (1996)), relating to a November 5, 1998 Agency determination. On February 3, 1999, the Board received petitioner's petition for review. The final determination concerns petitioner's site located in Ottawa, LaSalle County, Illinois. The Board accepts this matter for hearing.

The Board's rules require that the Agency file the entire Agency record of the permit application within 14 days of notice of the petition.¹ See 35 Ill. Adm. Code 105.102. Hearing must be scheduled and completed in a timely manner, pursuant to the applicable statutory decision deadline, or the decision deadline as extended by a waiver. See 35 Ill. Adm. Code 101.105. The assigned hearing officer shall inform the Clerk of the Board of the time and location of hearing at least 40 days in advance of hearing so that a 30-day public notice of hearing may be published.

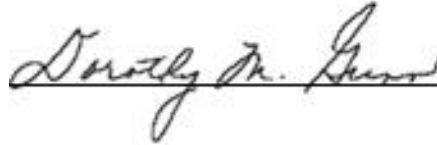
Absent any future waivers of the decision deadline, the statutory decision deadline is now June 3, 1999 (120 days from February 3, 1999); a Board meeting is scheduled for June 3, 1999.

The Board notes that it is unclear whether petitioner's attorney, David J. Engel (Engel), is licensed and registered to practice in Illinois. Within 14 days of the date of this order, the Board must receive a motion from Engel to appear in this matter *pro hac vice*, a filing from Engel that states that he is licensed and registered to practice in Illinois, or an appearance of another attorney who is licensed and registered to practice in Illinois that states that he or she substitutes for Engel in this matter.

¹ The Board refers to the assigned hearing officer the Agency's motion to extend the time to file the Agency record.

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 18th day of February 1999 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board