ILLINOIS POLLUTION CONTROL BOARD
August 2, 1984

MIDWEST SOLVENTS COMPANY OF ILLINOIS,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 84-5
	)	
ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by B. Forcade):

On June 29, 1984, Midwest Solvents Company of Illinois ("Midwest") filed a Motion to Extend Variance. This motion was filed more than 35 days after the final order was adopted and thus cannot be considered a motion subsequent to entry of final order pursuant to 35 Ill. Adm. Code 103.240. Since this motion is not supported by an affidavit or other appropriate showing of facts not of record, it cannot be considered a motion for relief from final orders pursuant to 35 Ill. Adm. Code 103.241. Consequently, the Board will strike Midwest's motion for failure to comply with the procedural regualtions.

IT IS SO ORDERED.

Board Member J. D. Dumelle dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 2nd day of August, 1984 by a vote of 5-1.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board