

ILLINOIS POLLUTION CONTROL BOARD  
June 25, 1981

CITY OF CARMi, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 81-59  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by D. Satchell):

On June 11 and June 15, 1981 the Illinois Environmental Protection Agency (Agency) filed identical motions to extend time to file its recommendation in this variance petition filed by the City of Carmi April 17, 1981 and amended May 21, 1981. The matter has been set for hearing pursuant to objections received from the public (Order of May 14, 1981). The Agency motion states that it is necessary for Carmi to prepare a revised sewer system evaluation survey before the Agency can proceed with its recommendation. Attached to the motion is a letter from Carmi requesting a sixty day extension in the hearing date. The letter also contains an ambiguous waiver. The Board construes this as an unconditional open waiver of the time required for Board action under Section 38 of the Environmental Protection Act.

The motion is granted. The Agency shall file its recommendation on or before July 31, 1981 and a public hearing shall be held on or before August 21, 1981. The parties shall serve copies of all pleadings on the first named objector, Jack E. Emery.

IT IS SO ORDERED.

I Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 1 day of 25<sup>th</sup>, 1981 by a vote of 7-0.

  
Christan L. Moffett, Clerk  
Illinois Pollution Control Board