

ILLINOIS POLLUTION CONTROL BOARD
January 11, 1995

JERRY GLEASON BUICK, INC.,)
)
Petitioner,)
)
v.) PCB 94-277
) (UST-Fund)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

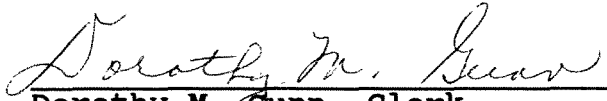
ORDER OF THE BOARD (by R.C. Flemal):

This matter is before the Board on a December 16, 1994 motion to file the record instanter, filed by the Illinois Environmental Protection Agency (Agency). Pursuant to 35 Ill. Adm. Code 105.102(a)(4), the Agency record is to be filed with the Pollution Control Board within 14 days "upon notice of the petition". The Agency states that it received notice of the petitioner's petition on October 5, 1994. The record was therefore due to be filed on October 19, 1994. The Agency filed the record 72 days after it received notice of petitioner's appeal, and the Agency's record is therefore 58 days late.

The motion to allow filing of the Agency record instanter is hereby granted.

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 11th day of January, 1995, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board