

ILLINOIS POLLUTION CONTROL BOARD
December 1, 1994

CHARLES GATWOOD,)	
)	
Petitioner,)	
)	
v.)	PCB 94-280
)	(UST Fund)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

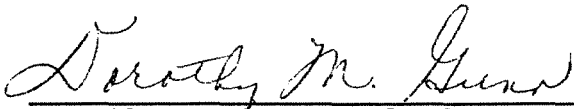
ORDER OF THE BOARD (by G. T. Girard):

This matter comes before the Board on a November 18, 1994, motion to file the record instanter filed by the Illinois Environmental Protection Agency (Agency). This petition was filed with the Board on October 4, 1994, and the Agency asserts that it received notice of the petition on October 3, 1994. 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 record was therefore due to be filed on October 17, 1994. This motion and the record were filed 46 days after the Agency received notice of petitioner's appeal, and is 32 days late.

The Board is concerned about the significant delay in filing this record. The Board also notes with concern the absence of any earlier motion requesting an extension of time. The Agency's 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 1st day of December, 1993, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board