

ILLINOIS POLLUTION CONTROL BOARD
April 22, 1993

SHELL OIL COMPANY,)
)
 Petitioner,)
) PCB 90-27
 v.) (Variance)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

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

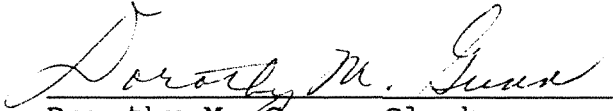
On April 14, 1993, the Board received a status report from petitioner in response to a January 21, 1993 order. The Agency has not filed a status report. The report indicates that the petitioner has taken steps to proceed to a possible resolution of this matter.

The report also indicates that the Agency has not responded to the amended petition as directed by the Board's January 21, 1993 order; nor has the Agency asked for additional time. Further the Agency has not formally responded to a study submitted by the petitioner on May 17, 1991, or issued a draft permit.

The Board accepts the petitioner's status report. The Board is disturbed by the Agency failure to respond to Board orders. On January 21, 1993, the Board directed the parties to file a status report to be received by the Board no later than April 15, 1993. Further, the Board directed the Agency to file a response to the amended petition to be received by the Board no later than February 4, 1993. Also on December 17, 1992, the Board had directed the parties to file a status report by January 18, 1993. The Agency did not do so. Therefore, the Board directs the Agency to file a status report in this proceeding to be received by the Board no later than May 2, 1993. Such status report will include an explanation as to why the Agency has not responded to the amended petition. If such status report is not received by May 2, 1993, the Board will consider imposing sanctions pursuant to 35 Ill. Adm. Code 101.280.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 22nd day of April, 1993, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board