

ILLINOIS POLLUTION CONTROL BOARD  
December 17, 1992

QUANTUM CHEMICAL CORPORATION, )  
 )  
 Petitioner, )  
 )  
 v. ) PCB 92-47  
 ) (Permit Appeal)  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

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

On March 25, 1992, Quantum Chemical Corporation (Quantum) filed a petition for hearing to review the denial by the Illinois Environmental Protection Agency of its application to modify its solid waste management site permit. On December 14, 1992, Quantum filed a waiver of decision deadline, until July 31, 1993, and a waiver of the filing of the Illinois Environmental Protection Agency's (Agency) record, until 30 days prior to the decision due date<sup>1</sup>. However, Quantum has no authority to waive the deadline for the filing of the Agency record. That deadline (14 days after the notice of a petition for review) is contained in a Board procedural rule, and can only be extended by the Board itself. (35 Ill. Adm. Code 105.102.) If an extension of the deadline to file the record is needed, the Agency must make such a request. Of course, Quantum can waive any objection to an Agency request for extension of the 14-day deadline.

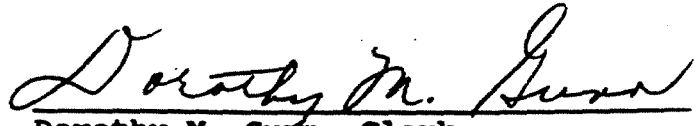
In summary, the Board finds that the waiver of the decision deadline is acceptable, but that the waiver of the filing of the Agency record is not acceptable. The Board further orders that the parties file a status report indicating progress made toward resolution and the expected date of resolution of this matter to be received by the Board on or before April 1, 1993.

IT IS SO ORDERED.

<sup>1</sup> The Board notes that Quantum has filed two previous waivers of the decision deadline and Agency record filing date.

0138-0067

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board hereby certify that the above order was adopted on the 17<sup>th</sup> day of December, 1992, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board