

ILLINOIS POLLUTION CONTROL BOARD

April 18, 1996

CITY OF AUBURN,	)	
	)	
Petitioner,	)	
	)	PCB 96-64
v.	)	(UST - Reimbursement)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

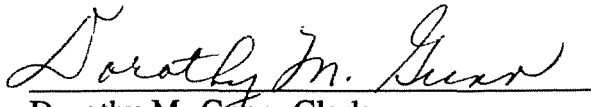
On April 10, 1996 the Illinois Environmental Protection Agency filed the administrative record in this matter. The record was accompanied by a motion to file instanter.

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 petition on December 15, 1995. The record was therefore due to be filed on December 29, 1995. The Agency claims that due to the press of business, the attorney assigned to this case was unable to complete preparation of the record prior to this time. The Agency believes no prejudice will result to petitioner if the motion is granted because petitioner should be basically familiar with most of the documents. The Board has received no response from petitioner.

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 18<sup>th</sup> day of April, 1996, by a vote of 5-0.

  
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 Dorothy M. Gunn, Clerk  
 Illinois Pollution Control Board