

ILLINOIS POLLUTION CONTROL BOARD

April 4, 1996

J.M. SWEENEY, CO.,	)	
	)	
Petitioner,	)	
	)	PCB 96-184
v.	)	(Variance - Air)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

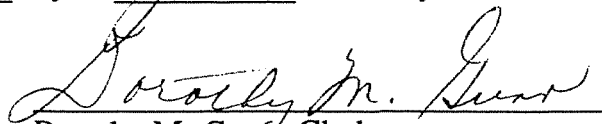
ORDER OF THE BOARD (by J. Theodore Meyer):

On March 25, 1996 the Illinois Environmental Protection Agency (Agency) filed a Motion for Extension of Time in Which to File Recommendation. The Agency states that J.M. Sweeney (Sweeney) filed its petition with the Board on February 28, 1996 but did not serve the Agency until March 21, 1996. The Agency recommendation is due within 30 days after the filing of the petition. (35 Ill. Adm. Code 104.180(a) (1994).) In this case the Agency recommendation was due on or before March 29, 1996; however, due to Sweeney's error, the Agency states that it was unprepared to file its recommendation in a timely manner. Therefore the Agency requests an extension of time to file its recommendation. On April 2, 1996 Sweeney filed its response to the Agency's motion, stating that it had no objection to the Agency's request. Sweeney also requested that the record in its original variance case, PCB 94-297, be incorporated by reference in the current proceeding.

The Board grants the Agency's request for an extension of time and directs it to file its recommendation on or before May 1, 1996. The Board also grants Sweeney's request to incorporate by reference the record in PCB 94-297.

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 4<sup>th</sup> day of April, 1996, by a vote of 7-0.

  
 Dorothy M. Gunn, Clerk  
 Illinois Pollution Control Board