

ILLINOIS POLLUTION CONTROL BOARD
June 23, 1994

CHEMICAL WASTE)	
MANAGEMENT, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 94-148
)	(Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by M. McFawn):

This matter is before the Board on a June 3, 1994 motion for extension of time to file the record filed by respondent Illinois Environmental Protection Agency (Agency). The Agency seeks an additional 28 days in which to file the record. Petitioner Chemical Waste Management, Inc. (Chemical Waste) has not filed a response to this motion, although it has waived the decision deadline until November 4, 1994.

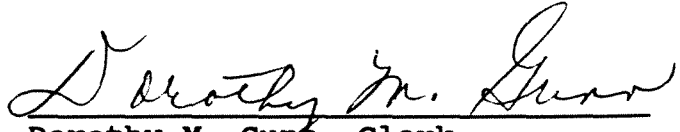
The record in a permit appeal must be filed fourteen days after the Agency receives notice of the petition. (35 Ill. Adm. Code 105.102(a)(4).) In this case, the petition was mailed to the Agency on May 10, 1994, and allowing four days for service by mail, the record was due May 28, 1994.

In its motion, the Agency asserts that the record in this case is extremely large, consisting of over 12 linear feet of documents, plus a stack of almost 2 inches of microfiche cards. Additionally, relevant documentation from the Bureau of Air Permit Section which the Agency seeks to include in the record is equally extensive. Also, the Agency is reviewing the documents for trade secrets and privileged information. The Agency asserts that it is making a good faith effort to file the record as expeditiously as possible.

Given the extensive volume of material in the record and the waiver of the decision deadline by petitioner, the Agency's request is reasonable. The Agency's motion for an extension of time in which to file the record is hereby granted. The record is now due June 27, 1994.

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 23rd day of June, 1994, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board