

ILLINOIS POLLUTION CONTROL BOARD
October 6, 1994

MARATHON OIL COMPANY,)
)
 Petitioner,)
)
 v.) PCB 94-237
) (UST-Reimbursement)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)


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

This matter is before the Board on a September 26, 1994 motion to file the record instanter, filed by the Illinois Environmental Protection Agency (Agency). 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 August 30, 1994. The record was therefore due to be filed on September 13, 1994. The Agency filed the record 27 days after the Agency received notice of petitioner's appeal, and is 13 days late.

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 6th day of October, 1994, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board