



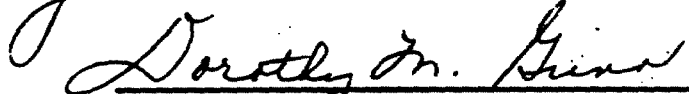
hearing and thus, are being denied a fair and meaningful hearing.

Although the response time to the petitioners' motion has not yet expired, the Board will rule on the motion to prevent undue delay. 35 Ill. Adm. Code 101.241(b). In its November 19, 1992 order, the Board set this matter for hearing and directed the Village to prepare and file the record on appeal no later than December 10, 1992. On December 17, 1992, however, the Board issued an order directing the Village to file the record on or before January 4, 1993.

A review of the Clerk's files shows that the Village's attorney filed a portion of the record on January 4, 1993, and the remainder of the record on January 5, 1993. The Board notes, however, that the January 5, 1993 filing was not accompanied by a motion for leave to file the record instant. The Village also has failed to file a certification of the record. The Board directs the Village to file the required motion and certification at the January 7, 1993 hearing. Because the hearing begins on January 7, 1993, and the Board's February 25, 1993 decision deadline has not been waived, the Board is unable to cancel the hearing or give petitioners additional time to review the record. Accordingly, the Board denies petitioners' motion for sanctions.

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 7<sup>th</sup> day of January, 1993, by a vote of 5-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

0138-0294