

ILLINOIS POLLUTION CONTROL BOARD
February 25, 1993

PRINCETON/BECK OIL COMPANY,)
)
Petitioner,)
)
v.) PCB 93-8
) (UST Fund)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

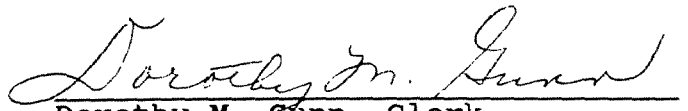
ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on a February 23, 1993 motion to file the record instanter, filed by the Illinois Environmental Protection Agency (Agency). This petition was filed with the Board on January 8, 1993, and the Agency states that it received notice of the petition on January 15, 1993. 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 record was therefore due to be filed on January 29, 1993. This motion and the record were filed 39 days after the Agency received notice of petitioner's appeal, and are 25 days late.

The Board is concerned about the delay in filing this record. The Board also notes with concern the absence of any earlier motion requesting an extension of time. However, because the Agency's record is necessary for the decision of this proceeding, 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 25th day of February, 1993, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

0139-0611