

ILLINOIS POLLUTION CONTROL BOARD
December 1, 1994

ILLICO INDEPENDENT OIL COMPANY,)
)
Petitioner,)
)
v.) PCB 94-284
) (UST Fund)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

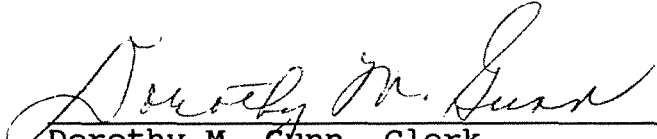
ORDER OF THE BOARD (by E. Dunham):

This matter is before the Board on a November 1, 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 October 3, 1994. The record was therefore due to be filed on October 17, 1994. The Agency filed the record 29 days after the Agency received notice of petitioner's appeal, and is 15 days late.

The Board is concerned about the delay in filing this record. 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 1st day of December, 1994, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board