

ILLINOIS POLLUTION CONTROL BOARD
October 24, 1991

DMI, INC.,)
)
Petitioner,)
) PCB 90-227
v.) (Variance)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

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

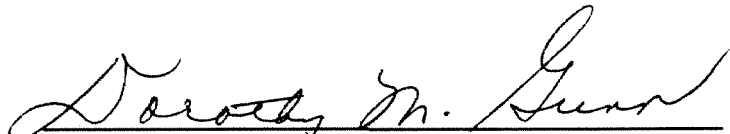
On October 21, 1991 the Petitioner filed a Motion for Expedited Decision. In support of its motion, the Petitioner states that it had filed an open waiver of decision deadline within the specified timeframe pursuant to the Board's request. The Board had requested a waiver due to fiscal difficulties occurring after the filing of the petition. The Petitioner further states that the Agency agrees that the Petitioner should receive a variance however such variance should not be retroactive. Thus, according to the Petitioner every additional day of delay is potentially highly prejudicial to the Petitioner.

The Board notes that it is ruling on this motion prior to the expiration of the response time to avoid undue delay in this proceeding. The Board will grant the Petitioner's motion subject to constraints imposed by the Board's workload and resources.

IT IS SO ORDERED.

Board Member J.D. Dumelle concurred.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 24th day of October, 1991 by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board