

ILLINOIS POLLUTION CONTROL BOARD
December 19, 1991

LAND and LAKES COMPANY,)
)
 Petitioner,)
)
 v.) PCB 91-215
) (Variance)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by M. Nardulli):

This matter is before the Board on the November 25, 1991 filing by the Illinois Environmental Protection Agency of a motion to extend time to publish.

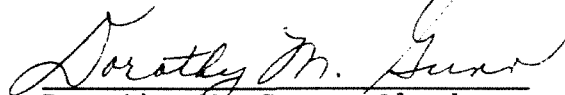
The Agency seeks to extend the 10-day time to publish notice of Land and Lakes variance set forth in 35 Ill. Adm. Code 104.140(b). The Agency states that its legal division did not receive the petition until November 20, 1991, three days after the deadline for publishing notice, after the Agency requested a copy from the Board. The petition is accompanied by a proof of service indicating it was mailed to the Agency on November 7, 1991. Public notice was sent to the appropriate newspaper on November 21, 1991.

Land and Lakes has not filed a response to the Agency's request for an extension of time and, hence, has waived any objection. (35 Ill. Adm. Code 101.241(b).)

The Board hereby waives the 10-day time period for publication set forth in Section 104.140(b) of the Board's procedural rules. The Agency's motion for extension of time is granted. The Board also grants the Agency's request to extend the period for filing objections to the variance to 21 days from the date of publication. (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 1037(a).)

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 19th day of December, 1991 by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board