

ILLINOIS POLLUTION CONTROL BOARD
January 12, 1984

THRALL CAR MANUFACTURING)
COMPANY,)
)
Petitioner)
)
v.) PCB 83-233
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

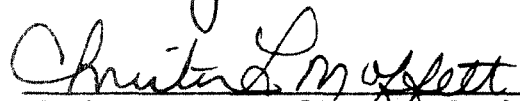
ORDER OF THE BOARD (by B. Forcade):

Pursuant to leave granted in the Board's Order of December 29, 1983, Thrall Car Manufacturing Company (Thrall) filed a motion to reform its December 15, 1983 petition for variance into a petition for review of the Illinois Environmental Protection Agency's (Agency) December 1, 1983 denial of a permit modification. That motion is granted.

Within 14 days from the date of this Order, Thrall shall file a permit appeal petition in conformance with the requirements of 35 Ill. Adm. Code 105.102(a)(2). Given the procedural uncertainties involved in the commencement of this action, the Board deems Thrall to have given the Board a pro tanto waiver extending throughout the "sorting out" period. The Agency's obligations under 35 Ill. Adm. Code 105.102(a)(4) and the Board's time deadlines under Section 40(a) of the Environmental Protection Act will commence upon the date of filing of the amended petition.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 12th day of January, 1984 by a vote of 7-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board