

ILLINOIS POLLUTION CONTROL BOARD
August 15, 1996

SHELL OIL PRODUCTS COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 96-241
)	(UST - Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by C.A. Manning):

On May 23, 1996 the Illinois Environmental Protection Agency (Agency) and Shell Oil Products Company (Shell) filed a joint notice of extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act, relating to an April 5, 1996 Agency determination. The Agency requested the extension until "July 18, 1996, or any other date not more than a total of 90 days from the date of the Agency's final determination."

By order of June 6, 1996 the Board reserved docket PCB 96-241 for any petition which might be filed by Shell. The order stated "In the event that Shell fails to file an appeal on or before July 18, 1996 (the 90th day after April 5, 1996), the Board will dismiss the docket as unnecessary."

No petition has been filed. This matter is dismissed and the docket is closed as unnecessary.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1994)) provides for the appeal of final Board orders within 35 days of the date of service of this order. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246 "Motions for Reconsideration".)

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the _____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board