

ILLINOIS POLLUTION CONTROL BOARD  
December 19, 1996

GRIMM'S PHARMACY,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 97-56
	)	(UST - Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

On September 24, 1996 the Illinois Environmental Protection Agency (Agency) and Grimm's Pharmacy (petitioner) filed a joint notice of extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act, relating to the August 16, 1996 Agency determination. The Agency requested the extension "to November 14, 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 October 3, 1996 the Board reserved docket PCB 97-56 for any petition which might be filed by petitioner. The order stated, "In the event that petitioner fails to file an appeal on or before November 14, 1996 (the 90th day after August 16, 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 to the Illinois Appellate Court 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.")

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 \_\_\_\_ day of \_\_\_\_\_, 1996, by a vote of \_\_\_\_\_.

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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board