

ILLINOIS POLLUTION CONTROL BOARD
June 20, 1996

MACON COUNTY LANDFILL)	
#2 & #3,)	
)	
Petitioner,)	PCB 96-247
)	(Permit Appeal - Land
v.)	Ninety-Day Extension)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On June 3, 1996 Macon County Landfill #2 & #3 (petitioner) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act, relating to a May 10, 1996 Illinois Environmental Protection Agency (Agency) determination. The Agency, on June 6, 1996, filed its agreement to an extension through August 8, 1996.

P.A. 88-690 (SB1724) effective January 24, 1995 amends Section 40(a), which governs the permit appeal process, to provide:

the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Agency within the initial appeal period.

As the Board maintains its files by docket number only, the Board will reserve docket PCB 96-247 for any appeal which may be filed by petitioner; petitioner is directed to use this docket number in any future filing concerning this appeal. In the event that petitioner fails to file an appeal on or before August 8, 1996 (the 90th day after May 10, 1996), the Board will dismiss the docket as unnecessary. A \$75.00 filing fee will, of course, be required at such time as petitioner files such petition.

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 _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board