

ILLINOIS POLLUTION CONTROL BOARD
June 6, 1996

DOWNTOWN OIL,)	
)	
Petitioner,)	
)	
v.)	PCB 96-204
)	(UST - Reimbursement)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On March 26, 1996 the Illinois Environmental Protection Agency (Agency) and Downtown Oil (Downtown) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act (Act), relating to a February 27, 1996 Agency final determination.

By order of April 4, 1996 the Board reserved docket PCB 96-204 for any petition which might be filed by Downtown. The order stated, "In the event that Downtown fails to file an appeal on or before May 27, 1996 (the 90th day after February 27, 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