

ILLINOIS POLLUTION CONTROL BOARD  
May 16, 1996

MAGGIO TRUCK CENTER, INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 96-197
	)	(UST Appeal)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

On March 18, 1996 the Illinois Environmental Protection Agency (Agency) and Maggio Truck Center, Inc. (Maggio) filed a joint notice of extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act, relating to a February 8, 1996 Agency determination regarding Maggio's 20-day, 45-day, and corrective action completion reports.

By order of March 21, 1996 the Board reserved docket PCB 96-197 for any petition which might be filed by Maggio. The order stated, "In the event that Maggio fails to file an appeal on or before May 8, 1996 (the 90th day after February 8, 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 \_\_\_\_\_.

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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board