

ILLINOIS POLLUTION CONTROL BOARD

February 1, 1996

HICKMAN, WILLIAMS & COMPANY)	
OF KENTUCKY,)	
)	
Petitioner,)	
)	PCB 96-109
v.)	(Permit Appeal - Air)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On November 27, 1995, the Illinois Environmental Protection Agency (Agency) and Hickman, Williams & Company of Kentucky (Hickman) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act (Act), relating to an October 18, 1995 Agency determination regarding Hickman's permit application.

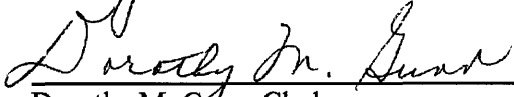
By order of December 7, 1995, the Board reserved Docket PCB 96-109 for any petition which might be filed by Hickman. The order stated, "In the event that Hickman fails to file an appeal on or before January 16, 1996 (the 90th day after October 18, 1995), the Board will dismiss the docket as unnecessary."

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

IT IS SO ORDERED.

Section 41 of the 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 1st day of February, 1996, by a vote of 7-0.



 Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board