

ILLINOIS POLLUTION CONTROL BOARD  
December 7, 1995

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

ORDER OF THE BOARD (by M. McFawn):

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 Act, relating to an October 18, 1995 Agency determination regarding Hickman's permit application.

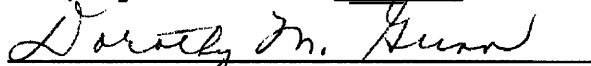
P.A. 88-690 (SB1724) effective January 24, 1995, amends Section 40(a)(1), which governs the permit appeal process, to provide:

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 96-109 for any appeal which may be filed by Hickman. 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. A \$75.00 filing fee will, of course, be required at such time as Hickman 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 7<sup>th</sup> day of December, 1995, by a vote of 6-2.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board