

ILLINOIS POLLUTION CONTROL BOARD
January 4, 1996

SCHILLING PETROLEUM)	
COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 96-134
)	(UST Fund Appeal
)	Ninety- Day Extension)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On December 21, 1995, the Illinois Environmental Protection Agency (Agency) and Schilling Petroleum Company (Schilling) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to a December 6, 1995, Agency final reimbursement decision. The Agency requested the extension "to March 5, 1996, or any other date not more than a total of 90 days from the date of the Agency's final determination".

P.A. 88-690 (SB1724) effective January 24, 1995, amends Section 40(c), which governs the underground storage tank 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 96-134 for any appeal which may be filed by Schilling. In the event that Schilling fails to file an appeal on or before March 5, 1996 (the 90th day after December 6, 1995), the Board will dismiss the docket as unnecessary. A \$75.00 filing fee will, of course, be required at such time as Schilling 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 4th day of January, 1996, by a vote of 7-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board