

ILLINOIS POLLUTION CONTROL BOARD

April 18, 1996

JEWEL FOOD STORES, INC.,)	
)	
Petitioner,)	
)	PCB 96-217
v.)	(UST Fund
)	Ninety-Day Extension)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by G.T. Girard):

On April 15, 1996, the Illinois Environmental Protection Agency (Agency) and Jewel Food Stores, Inc. (Jewel) filed a joint notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to a March 8, 1996 Agency final reimbursement determination. The Agency requested the extension "to June 6, 1996, or any other date not more than a total of 90 days from the date of the Agency's final determination".

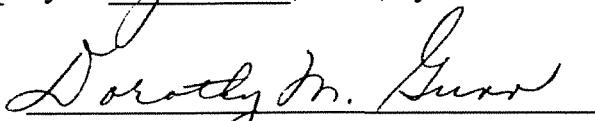
P.A. 88-690 (SB1724) effective January 24, 1995, amends Section 40(c), which governs the underground storage tank appeal process, to provide:

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 96-217 for any appeal which may be filed by Jewel. In the event that Jewel fails to file an appeal on or before June 6, 1996 (the 90th day after March 8, 1996), the Board will dismiss the docket as unnecessary. A \$75.00 filing fee will, of course, be required at such time as Jewel 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 18th day of April, 1996, by a vote of 5-0.



 Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board