

ILLINOIS POLLUTION CONTROL BOARD  
December 14, 1994

BONCOSKY OIL COMPANY,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 94-124
	)	(UST Fund)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by E. Dunham):

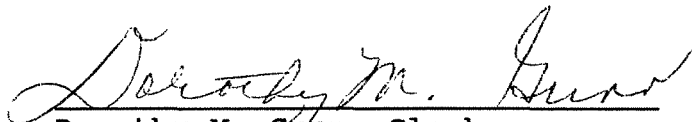
On November 22, 1994, the respondent filed a motion to dismiss this appeal. The petitioner, Boncosky Oil Company, has not filed a response, and thus is deemed to have waived objection to the granting of the motion. (35 Ill. Adm. Code 101.241(b).) The Illinois Environmental Protection Agency states it has complied with the terms of the settlement because Boncosky has received stipulated payment from the Underground Storage Tank Fund.

The motion to dismiss appeal is granted. This matter is hereby dismissed and the docket is closed.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1992)) provides for appeal of final orders of the Board 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, Motion for Reconsideration.)

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 14<sup>th</sup> day of December, 1994, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board