

ILLINOIS POLLUTION CONTROL BOARD  
June 15, 1995

GLEN ELLYN STORAGE )  
CORPORATION, )  
 )  
Petitioner, )  
 )  
v. ) PCB 95-169  
 ) (UST Appeal Ninety-Day  
 ) Extension)  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

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

On June 12, 1995, Glen Ellyn Storage Corporation (Glen Ellyn) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to an May 9, 1995 Agency UST decision. On June 14, 1995, the Agency filed its agreement to the extension.

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 95-169 for any appeal which may be filed by Glen Ellyn. In the event that Glen Ellyn fails to file an appeal on or before September 11, 1995 (the 125th day after May 9, 1995), the Board will dismiss the docket as unnecessary. A \$75.00 filing fee will, of course, be required at such time as Glen Ellyn 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 15<sup>th</sup> day of June, 1995, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board