

ILLINOIS POLLUTION CONTROL BOARD  
May 1, 1997

SCHULLER INTERNATIONAL CORP.,	)	
(a/k/a John Manville Sales Corp., a/k/a	)	
Manville Corp.)	)	
	)	
Petitioner,	)	PCB 97-176
	)	(UST - Appeal
v.	)	Ninety-Day Extension)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

On April 4, 1997 Schuller International Corporation (petitioner) filed a request for extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act, relating to a March 24, 1997 Illinois Environmental Protection Agency (Agency) determination. On April 28 1997 the Agency filed its concurrence and a joint notice. The Agency requested the extension "to June 22, 1997, or any other date not more than a total of 90 days from the date of the Agency's final determination."

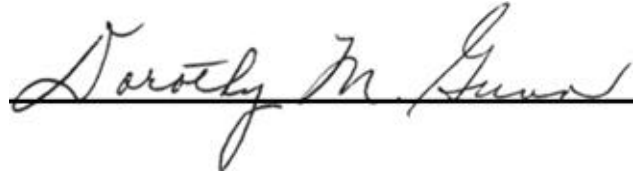
P.A. 88-690 (SB1724), effective January 24, 1995, amends Section 40(a) which governs the appeal process to provide:

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 97-176 for any appeal which may be filed by petitioner; petitioner is directed to use this docket number in any future filing concerning this appeal. In the event that petitioner fails to file an appeal on or before June 22, 1997 (the 90th day after March 24, 1997), the Board will dismiss the docket as unnecessary. A \$75 filing fee will, of course, be required at such time as petitioner 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 1st day of May, 1997, by a vote of 7-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a solid horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board