

ILLINOIS POLLUTION CONTROL BOARD
July 10, 1997

SCHULLER INTERNATIONAL)	
CORPORATION, a/k/a JOHN)	
MANVILLE SALES CORPORATION,)	
a/k/a MANVILLE CORPORATION,)	
)	
Petitioner,)	
)	
v.)	PCB 97-176
)	(UST - Appeal)
)	
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 29, 1997, the Agency filed its concurrence and joint request for extension of the 35-day appeal period.

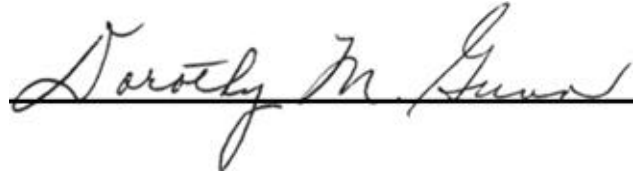
By order of May 1, 1997, the Board reserved docket PCB 97-176 for any petition which might be filed by petitioner in this matter. The order stated, "[i]n the event that petitioner fails to file an appeal on or before June 22, 1997 (the 90th day after March 24, 1997), the Board will dismiss the docket as unnecessary."

Since no petition has been filed, the Board dismisses this matter and closes the docket.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1996)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of service of this order. Illinois Supreme Court Rule 335 establishes such filing requirements. See 145 Ill. 2d R. 335; see also 35 Ill. Adm. Code 101.246, Motions for Reconsideration.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 10th day of July 1997, by a vote of 6-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a solid horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board