

ILLINOIS POLLUTION CONTROL BOARD
August 21, 1997

DEAN FOODS COMPANY,)	
)	
Petitioner,)	
)	PCB 98-26
v.)	(Permit Appeal - Air)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by R.C. Flemal):

On August 13, 1997, the Illinois Environmental Protection Agency (Agency) and Dean Foods Company (petitioner) filed a request for extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act (Act)(415 ILCS 5/40(a)(1) (1996)), relating to a July 10, 1997 Agency determination.

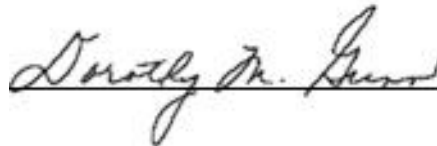
Section 40(a)(1)of the Act, which governs the appeal process, provides:

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. 415 ILCS 5/40(a)(1) (1996).

As the Board maintains its files by docket number only, the Board will reserve docket PCB 98-26 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 October 8, 1997 (the 90th day after July 10, 1997), the Board will dismiss the docket. A \$75 filing fee will be required if 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 21st day of August 1997, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board