

ILLINOIS POLLUTION CONTROL BOARD  
September 18, 1997

CHICAGO SUN TIMES, INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 98-19
	)	(Permit Appeal - Air)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

On July 18, 1997, Chicago Sun Times, Inc. (petitioner) filed a request for extension of the 35-day appeal period pursuant to Section 40(a)(1) of the Environmental Protection Act (Act) (415 ILCS 5/40(a)(1) (1996)), relating to a June 18, 1997 Illinois Environmental Protection Agency (Agency) determination. On July 22, 1997, the Agency filed its concurrence for extension of the 35-day appeal period.

By order of July 24, 1997, the Board reserved docket PCB 98-19 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 September 16, 1997 (the 90th day after June 18, 1997), the Board will dismiss the docket as unnecessary.”

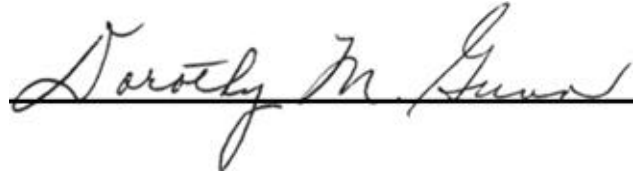
On September 16, 1997, petitioner filed a letter stating that it had received its revised permit on August 14, 1997, and that no permit appeal would be filed. Petitioner further requested that the Board dismiss this matter.

Since no petition has been or will be 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 18th day of September 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