

ILLINOIS POLLUTION CONTROL BOARD

July 10, 1997

OLD ELM COUNTRY CLUB,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 97-185
	)	(UST - Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

On April 24, 1997, Old Elm Country Club (petitioner) filed a request for extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act (415 ILCS 5/40 (1996)), relating to a March 31, 1997, Illinois Environmental Protection Agency (Agency) determination. On May 5, 1997, the Agency filed its concurrence and joint request for extension of the 35-day appeal period.


By order of May 15, 1997, the Board reserved docket PCB 97-185 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 30, 1997 (the 90th day after March 31, 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.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board