

ILLINOIS POLLUTION CONTROL BOARD
March 21, 1996

MAGGIO TRUCK CENTER, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 96-197
)	(UST Appeal
ILLINOIS ENVIRONMENTAL)	Ninety-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On March 18, 1996, the Illinois Environmental Protection Agency (Agency) and Maggio Truck Center (Maggio) filed a joint notice of extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act, relating to a February 8, 1996 Agency determination regarding Maggio's 20-day, 45-day and corrective action completion reports. The Agency requested the extension "to May 8, 1996, or any other date not more than a total of 90 days from the date of the Agency's final determination."

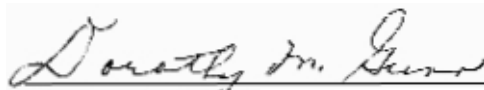
P.A. 88-690 (SB1724) effective January 24, 1995 amends Section 40(c), which governs the permit appeal process, to provide:

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 96-197 for any appeal which may be filed by Maggio. In the event that Maggio fails to file an appeal on or before May 8, 1996 (the 90th day after February 8, 1996), the Board will dismiss the docket as unnecessary. A \$75.00 filing fee will, of course, be required at such time as Maggio 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 March, 1996, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board