

ILLINOIS POLLUTION CONTROL BOARD  
May 2, 1996

LAND AND LAKES/WHEELING #5,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 96-163
	)	(Permit Appeal - Land)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

On January 25, 1996, Land & Lakes/Wheeling #5 (Land & Lakes) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to a January 2, 1996 Agency determination. On February 9, 1996, the Agency filed its agreement to the extension.

By order of February 15, 1996, the Board reserved Docket PCB 96-163 for any petition which might be filed by Land & Lakes. The order stated "In the event that Land & Lakes fails to file an appeal on or before March 31, 1996 (the 90th day after January 2, 1996), the Board will dismiss the docket as unnecessary".

No petition has been filed. This matter is dismissed and the docket is closed as unnecessary.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1994)) provides for the appeal of final Board orders within 35 days of the date of service of this order. The Rules of the Supreme Court of Illinois establish filing requirements. (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 \_\_\_\_\_ day of \_\_\_\_\_, 1996, by a vote of \_\_\_\_\_.

\_\_\_\_\_  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board