ILLINOIS POLLUTION CONTROL BOARD
March 5, 1998

LINCOLN CORRECTIONAL CENTER,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 98-79
	)	(UST - Appeal)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

On December 8, 1997, the Illinois Environmental Protection Agency (Agency) and Lincoln Correctional Center (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(a)(1) (1996)), relating to a November 5, 1997, Agency determination.

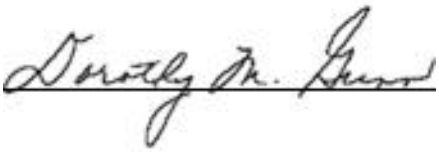
By order of December 18, 1997, the Board reserved docket PCB 98-79 for any petition which might be filed by petitioner in this matter. The order stated, "[i]n the event that petitioner fails to file an appeal on or before February 3, 1998 (the 90th day after November 5, 1997), the Board will dismiss 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 5th day of March 1998 by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board