

ILLINOIS POLLUTION CONTROL BOARD
September 21, 1995

CITY OF AUBURN,)
)
 Petitioner,)
)
 v.) PCB 96-64
) (UST Appeal Ninety-Day
) Extension)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

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

On September 18, 1995, the Illinois Environmental Protection Agency (Agency) and the City of Auburn filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to the August 10, 1995 Agency rejection of the City of Auburn's Site Classification Plan.

P.A. 88-690 (SB1724) effective January 24, 1995, amends Section 40(c), which governs the 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 96-64 for any appeal which may be filed by the City of Auburn. In the event that the City of Auburn fails to file an appeal on or before December 14, 1995 (the 125th day after August 10, 1995), the Board will dismiss the docket as unnecessary. A \$75.00 filing fee will, of course, be required at such time as the City of Auburn 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 September, 1995, by a vote of 7-0.

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