

ILLINOIS POLLUTION CONTROL BOARD
April 16, 1998

SSCI JOINT VENTURE and)	
THE COCA-COLA COMPANY,)	
)	
Petitioners,)	
)	
v.)	PCB 98-128
)	(UST - Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On April 2, 1998, the Illinois Environmental Protection Agency (Agency), and SSCI Joint Venture and The Coca-Cola Company (petitioners) filed a request for extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act (Act) (415 ILCS 5/40(a)(1) (1996)), relating to a February 24, 1998, Agency determination. The Agency requested the extension "to May 25, 1998, or any other date not more than a total of 90 days from the date of the Agency's final determination."¹

Section 40(a)(1) of the Act, which governs the appeal process, provides:

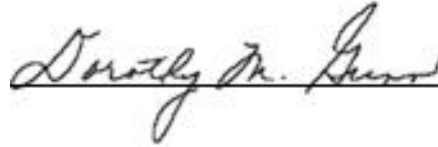
the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Agency within the initial appeal period. 415 ILCS 5/40(a)(1) (1996).

As the Board maintains its files by docket number only, the Board will reserve docket PCB 98-128 for any appeal which may be filed by petitioners. Petitioners are directed to use this docket number in any future filing concerning this appeal. In the event that petitioners fail to file an appeal on or before May 26, 1998 (the 90th day after February 24, 1998), the Board will dismiss the docket. A \$75 filing fee will be required if petitioners file such petition.

IT IS SO ORDERED.

¹ May 25, 1998 is a State holiday; therefore any appeal filed in this matter is due on the next business day, May 26, 1998.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 16th day of April 1998 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board