

ILLINOIS POLLUTION CONTROL BOARD
October 5, 1995

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|-------------------------|---|----------------------|
| LIQUID CARBONIC |) | |
| INDUSTRIES CORPORATION, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 95-187 |
| |) | (UST Fund Ninety-Day |
| |) | Extension) |
| |) | |
| ILLINOIS ENVIRONMENTAL |) | |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

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

On June 28, 1995, the Illinois Environmental Protection Agency (Agency) and Liquid Carbonic Industries Corporation (Liquid Carbonic) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to a May 24, 1995 Agency UST decision.

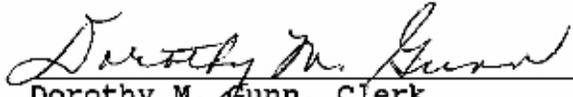
By order of June 29, 1995, the Board reserved Docket PCB 95-187 for any appeal which might be filed by the Liquid Carbonic. The order stated "In the event that Liquid Carbonic fails to file an appeal on or before September 25, 1995 (the 125th day after May 24, 1995), the Board will dismiss the docket as unnecessary."

No appeal has been filed. The docket is accordingly dismissed as unnecessary.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act, (415 ILCS 5/41 (1994)), provides for appeal of final orders of the Board within 35 days. 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 5th day of October, 1995, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board