

ILLINOIS POLLUTION CONTROL BOARD  
October 5, 1995

GWEN FISS,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 95-153
	)	(UST Fund Ninety-Day
	)	Extension)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

On June 14, 1995, the Illinois Environmental Protection Agency (Agency) and Gwen Fiss (Fiss) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to a April 25, 1995 Agency UST Fund final reimbursement decision.

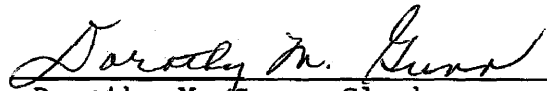
By order of June 1, 1995, the Board reserved Docket PCB 95-153 for any appeal which might be filed by the Fiss. The order stated "In the event that Gwen Fiss fails to file an appeal on or before August 28, 1995 (the 125th day after April 25, 1995), the Board will dismiss the docket as unnecessary."

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 3<sup>rd</sup> day of October, 1995, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board