

ILLINOIS POLLUTION CONTROL BOARD
March 7, 1996

VILLAGE OF HENDERSON,)
)
 Petitioner,)
)
 v.) PCB 96-139
) (Permit Appeal - PWS)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

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

On December 26, 1995, the Illinois Environmental Protection Agency (Agency) and the Village of Henderson (Village) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act (Act), relating to a November 17, 1995 Agency denial regarding the Village's special exemption permit.

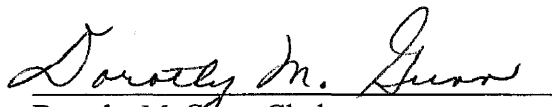
By order of January 4, 1996, the Board reserved docket PCB 96-139 for any petition which the Village might file. The order stated "in the event that the Village fails to file an appeal on or before February 15, 1996 (the 90th day after November 17, 1995), the Board will dismiss the docket as unnecessary."

No petition has been filed. This matter is dismissed and the docket is closed as unnecessary.

IT IS SO ORDERED.

Section 41 of the Act (415 ILCS 5/41 (1994)) provides for the appeal of final Board orders within 35 days of the date of service of this order. 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 7th day of March, 1996, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board