

ILLINOIS POLLUTION CONTROL BOARD  
March 21, 1996

SCHILLING PETROLEUM COMPANY,	)	
(Site Classification)	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 96-135
	)	(UST Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

On December 21, 1995 the Illinois Environmental Protection Agency (Agency) and Schilling Petroleum Company (Schilling) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act relating to a December 4, 1995 Agency decision. The Agency requested the extension "to March 3, 1996, or any other date not more than a total of 90 days from the date of the Agency's final determination."

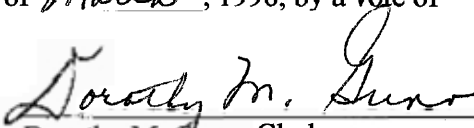
By order of January 4, 1996 the Board reserved docket PCB 96-135 for any petition which might be filed by Schilling. The order stated, "In the event that Schilling fails to file an appeal on or before March 5, 1996 (the 90th day after December 4, 1995), the Board will dismiss the docket as unnecessary."

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

IT IS SO ORDERED.

Section 41 of the Environmental Protection 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 21<sup>st</sup> day of March, 1996, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board