

ILLINOIS POLLUTION CONTROL BOARD
August 24, 1995

FLYNN READY-MIX CONCRETE)
(Site Classification Work Plan),)
)
Petitioner,)
)
v.) PCB 96-19
) (UST Appeal
) Ninety-Day Extension)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

FLYNN READY-MIX CONCRETE)
(Site Classification Completeness)
Report),)
)
Petitioner,)
)
v.) PCB 96-35
) (UST Appeal
) Ninety-Day Extension)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

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

By, order of August 3, 1995, the Board acknowledged the parties joint notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to a June 23, 1995 Agency UST decision. The Board reserved Docket PCB 96-19 for any appeal, calculated as due to be filed on or before October 25, 1995.

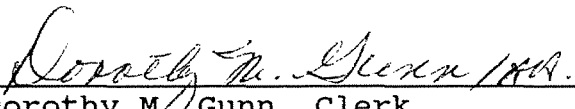
On August 7, 1995, the Agency filed a joint motion to supplement the previous joint request. The motion states that the Agency made two decisions on June 23, 1995: rejection of Flynn's UST Site Classification Work Plan (SCWP) and rejection of its Site Classification Completion Report (SCCR). The Agency believes that Flynn, appearing pro se, intended to request an extension for both decisions, and states that it was both parties' intent to allow time for resolution of all issues between them.

The motion to supplement is hereby granted. Docket PCB 96-19 is reserved for SCWP issues while PCB 96-35 is reserved for SCCR issues; the parties are directed to caption these cases as shown above.

In the event that Flynn fails to file an appeal in PCB 96-19 and/or PCB 96-35 on or before October 25, 1995 (the 125th day after June 23, 1995), the Board will dismiss the dockets as unnecessary. A \$75.00 filing fee will, of course, be required to accompany each petition Flynn files (for a total of \$150 if appeals are filed in both PCB 96-19 and PCB 96-35).

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 24th day of August, 1995, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board