

ILLINOIS POLLUTION CONTROL BOARD
June 22, 1995

COMPOST ENTERPRISES, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 95-172
)	(Permit Appeal-Land
)	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 Compost Enterprises, Inc., (Compost Enterprises) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to an May 16, 1995 Agency determination denial of Compost Enterprises application to operate a landscape waste management site.

P.A. 88-690 (SB1724) effective January 24, 1995, amends Section 40(a)(1), which governs the permit appeal process, to provide:

the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Agency within the initial appeal period.

As the Board maintains its files by docket number only, the Board will reserve Docket PCB 95-172 for any appeal which may be filed by Compost Enterprises. In the event that Compost Enterprises fails to file an appeal on or before September 18, 1995¹ (the 125th day after May 16, 1995), the Board will dismiss the docket as unnecessary. A \$75.00 filing fee will, of course, be required at such time as Compost Enterprises files such petition.

IT IS SO ORDERED.

¹Compost Enterprises requested an extension of time to and including September 20, 1995. The Board is only able to grant the extension for 90-days, which the Board calculates as ending September 18, 1995.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 22nd day of June, 1995, by a vote of 6-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board