

ILLINOIS POLLUTION CONTROL BOARD
December 7, 1995

AT & T COMMUNICATIONS, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 96-121
)	(UST Appeal Ninety-
)	Day Extension)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by M. McFawn):

On December 1, 1995, the Illinois Environmental Protection Agency (Agency) and AT & T Communications, Inc. (AT & T) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to a October 24, 1995, Agency final reimbursement decision. The Agency requested the extension "to January 22, 1996, or any other date not more than a total of 90 days from the date of the Agency's final determination".

P.A. 88-690 (SB1724) effective January 24, 1995, amends Section 40(c), which governs the underground storage tank 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 96-121 for any appeal which may be filed by AT & T. In the event that AT & T fails to file an appeal on or before January 22, 1996 (the 90th day after October 24, 1995), the Board will dismiss the docket as unnecessary. A \$75.00 filing fee will, of course, be required at such time as AT & T files such petition.

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 7th day of December, 1995, by a vote of 6-0.

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