

ILLINOIS POLLUTION CONTROL BOARD

April 4, 1996

DOWNTOWN OIL,)	
)	
Petitioner,)	
)	
v.)	PCB 96-204
)	(UST - Reimbursement
)	Ninety-Day Extension)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On March 26, 1996 the Illinois Environmental Protection Agency (Agency) and Downtown Oil filed a joint notice of extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act, relating to a February 27, 1996 Agency final reimbursement determination. The Agency requested the extension "to May 27, 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 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 96-204 for any appeal which may be filed by Downtown Oil. In the event that Downtown Oil fails to file an appeal on or before May 27, 1996 (the 90th day after February 27, 1996), the Board will dismiss the docket as unnecessary. A \$75.00 filing fee will, of course, be required at such time as Downtown Oil 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 4th day of April, 1996, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board