

ILLINOIS POLLUTION CONTROL BOARD
May 2, 1996

D'ARCY OLDSMOBILE,)	
)	
Petitioner,)	
)	
v.)	PCB 96-224
)	(UST Reimbursement
)	Ninety-Day Extension)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On April 29, 1996, the Illinois Environmental Protection Agency (Agency) and D'Arcy Oldsmobile filed a joint notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to a March 22, 1996 Agency final reimbursement determination. The Agency requested the extension "to June 20, 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 96-224 for any appeal which may be filed by D'Arcy Oldsmobile. In the event that D'Arcy Oldsmobile fails to file an appeal on or before June 20, 1996 (the 90th day after March 22, 1996), the Board will dismiss the docket as unnecessary. A \$75.00 filing fee will, of course, be required at such time as D'Arcy Oldsmobile 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 _____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board