

ILLINOIS POLLUTION CONTROL BOARD  
October 20, 1988

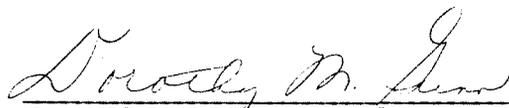
ILLINOIS POWER COMPANY )  
(Havana Station), )  
 )  
Petitioner, )  
 )  
v. ) PCB 88-111  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

ORDER OF THE BOARD (by B. Forcade):

On October 7, 1988, Illinois Power Company ("IPC") filed a motion to withdraw a permit appeal without prejudice. IPC's right to appeal this permit expired 35 days after the permit issuance date of June 17, 1988. Since today's date is more than 35 days after June 17, 1988, today's dismissal must, in effect, be a dismissal with prejudice. The motion is granted and this matter is dismissed.

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 20<sup>th</sup> day of October, 1988, by a vote of 7-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board