

ILLINOIS POLLUTION CONTROL BOARD
May 16, 1996

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|--------------------------------|---|-----------------------|
| U. S. DEPARTMENT OF ENERGY and |) | |
| UNIVERSITY OF CHICAGO (Argonne |) | |
| National Laboratory), |) | |
| |) | PCB 96-231 |
| Petitioners, |) | (UST - Appeal |
| |) | Ninety-Day Extension) |
| v. |) | |
| |) | |
| ILLINOIS ENVIRONMENTAL |) | |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

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

On May 10, 1996 the Illinois Environmental Protection Agency (Agency), the U.S. Department of Energy, and the University of Chicago (petitioners) filed a joint notice of extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act, relating to an April 5, 1996 Agency 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 within the initial appeal period.

As the Board maintains its files by docket number only, the Board will reserve docket PCB 96-231 for any appeal which may be filed by petitioners; petitioners are directed to use this docket number in any future filing concerning this appeal. In the event that petitioners fail to file an appeal on or before July 5, 1996 (the 90th day after April 5, 1996 since July 4 is a state holiday), the Board will dismiss the docket as unnecessary. A \$75.00 filing fee will, of course, be required at such time as petitioners 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