

ILLINOIS POLLUTION CONTROL BOARD

June 5, 1997

| | | |
|--------------------------------|---|------------------------|
| LITCHFIELD-HILLSBORO LANDFILL, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 97-167 |
| |) | (Permit Appeal - Land) |
| ILLINOIS ENVIRONMENTAL |) | |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

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

On March 21, 1997 Litchfield-Hillsboro Landfill (petitioner) filed a notice of extension of the 35-day appeal period pursuant to Section 40(a)(1) of the Environmental Protection Act (415 ILCS 5/40(a)(1)(Supp.1997), relating to a February 19, 1997 Illinois Environmental Protection Agency (Agency) determination. On March 25, 1997 the Agency filed its concurrence with the notice of extension and a joint notice of extension of the 35-day appeal period.

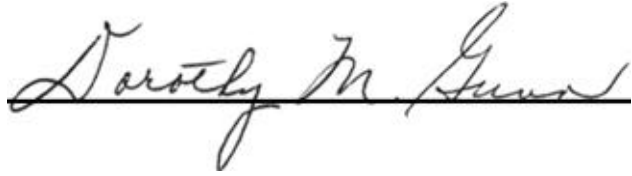
By order of April 3, 1997 the Board reserved docket PCB 97-167 for any petition which might be filed by petitioner in this matter. The order stated, "[i]n the event that petitioner fails to file an appeal on or before May 20, 1997 (the 90th day after February 19, 1997), the Board will dismiss the docket as unnecessary."

Since petitioner has not timely filed an appeal before the Board, the Board dismisses this matter and closes the docket.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1994)) provides for the appeal of final Board orders to the Illinois Appellate Court within 35 days of the date of service of this order. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246 "Motions for Reconsideration.")

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 5th day of June 1997, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a solid horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board