

ILLINOIS POLLUTION CONTROL BOARD
September 21, 1995

GLEN ELLYN STORAGE)
CORPORATION,)
)
Petitioner,)
)
v.) PCB 95-169
) (UST Appeal Ninety-Day
) Extension)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

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

On June 12, 1995, Glen Ellyn Storage Corporation (Glen Ellyn) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to a May 9, 1995 Illinois Environmental Protection Agency (Agency) UST decision. On June 14, 1995, the Agency filed its agreement to the extension.


By order of June 8, 1995, the Board reserved Docket PCB 95-169 for any appeal which might be filed by the Glen Ellyn. The order stated " In the event that Glen Ellyn fails to file an appeal on or before September 11, 1995 (the 125th day after May 9, 1995), the Board will dismiss the docket as unnecessary."

No appeal has been filed. The docket is accordingly dismissed as unnecessary.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act, (415 ILCS 5/41 (1994)), provides for appeal of final orders of the Board within 35 days. 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 21st day of September, 1995, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board