

ILLINOIS POLLUTION CONTROL BOARD

April 4, 1996

DAILY SOUTHTOWN, INC.,)	
)	
Petitioner,)	
)	PCB 96-205
v.)	(Permit Appeal - Air
)	Ninety-Day Extension)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On March 27, 1996 Daily Southtown, Inc. (Southtown) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act, relating to a February 23, 1996 Illinois Environmental Protection Agency (Agency) final permit application determination. The Agency, on April 1, 1996, filed its agreement to the extension.

P.A. 88-690 (SB1724) effective January 24, 1995 amends Section 40(a)(1), which governs the permit appeal process, to provide:

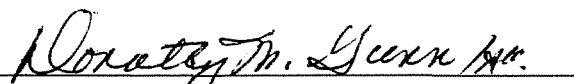
the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Agency within the initial appeal period.

As the Board maintains its files by docket number only, the Board will reserve docket PCB 96-205 for any appeal which may be filed by Southtown. In the event that Southtown fails to file an appeal on or before May 23, 1996 (the 90th day after February 23, 1996) the Board will dismiss the docket as unnecessary. A \$75.00 filing fee will, of course, be required at such time as Southtown 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 4th day of April, 1996, by a vote of

7-0.


 Dorothy M. Gunn, Clerk
 Illinois Pollution Control Board