

ILLINOIS POLLUTION CONTROL BOARD
December 20, 1995

COSMOS REALTY, INC.,)
)
 Petitioner,)
)
 v.) PCB 96-74
) (UST Appeal Ninety-
) Day Extension)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

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

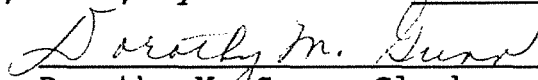
On October 3, 1995, Cosmos Realty, Inc. (Cosmos) filed a notice of extension of the 35-day appeal period pursuant to Section 40 of the Act, relating to a September 8, 1995 Illinois Environmental Protection Agency (Agency) determination regarding Cosmos Site Classification Plan. The Agency on October 13, 1995 filed its agreement to the extension. The Agency requested the extension "to December 7, 1995, or any other date not more than a total of 90 days from the date of the Agency's final determination".

By order of October 19, 1995, the Board reserved Docket PCB 96-74 for any petition which might be filed by Cosmos. The order stated "In the event that Cosmos fails to file an appeal on or before December 7, 1995 (the 90th day after September 8, 1995), the Board will dismiss the docket as unnecessary".

No petition has been filed. This matter is dismissed and the docket is closed as unnecessary.

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 20th day of December, 1995, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board