

ILLINOIS POLLUTION CONTROL BOARD
August 15, 1996

U. S. DEPARTMENT OF ENERGY and)
UNIVERSITY OF CHICAGO (Argonne)
National Laboratory),)
)
Petitioners,)
)
v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

PCB 96-231
(UST - Appeal)

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.

By order of May 16, 1996 the Board reserved docket PCB 96-231 for any petition which might be filed by the petitioners. The order stated, "In the event that petitioners fail to file an appeal on or before July 5, 1996 (the 90th day after April 5, 1996), 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.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1994)) provides for the appeal of final Board orders 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 _____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board