ILLINOIS POLLUTION CONTROL BOARD
March 6, 2003

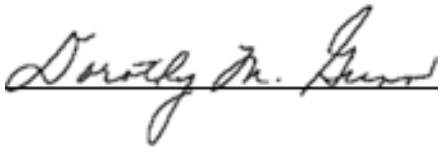
KELLER OIL (July 1, 2000 – March 31, 2001),	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 03-137
	)	(UST Fund)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	(90-Day Extension)
	)	
Respondent.	)	

ORDER OF THE BOARD (by T.E. Johnson):

On February 26, 2003, the parties placed in the U.S. mail a joint request to extend the 35-day period within which Keller Oil may appeal a January 17, 2003 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.206(c), 105.208(a), (c). Keller Oil was served the Agency determination on January 22, 2003. The Board received the joint request on March 3, 2003. Because the postmark date of the joint request is within the 35-day filing period after service of the Agency determination, the request was timely filed. 35 Ill. Adm. Code 101.300(b)(2), 105.404. The Agency determined that Keller Oil was entitled to a reimbursement of $13,310.90 from the Underground Storage Tank Fund. Keller Oil requested a $22,725.05 refund. This matter regards Keller Oil's leaking underground storage tank site at 419 West Lincoln in Charleston, Coles County. The Board extends the appeal period until May 27, 2003. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.208(a). If Keller Oil fails to file an appeal on or before that date, the Board will dismiss this case and close the docket.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 6, 2003, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board