

ILLINOIS POLLUTION CONTROL BOARD
March 1, 2012

PAUL SCHWENDENER, INC.,)
)
 Petitioner,)
)
 v.) PCB No. 12-118
) (UST Appeal – Ninety Day Extension)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by T. A. Holbrook):

On February 22, 2012, the Illinois Environmental Protection Agency (Agency) timely filed a request to extend the 35-day period within which Paul Schwendener, Inc. (petitioner) may petition for a hearing with regard to a January 18, 2012 decision of the Agency on petitioner's application for payment from the Underground Storage Tank (UST) Fund for a Leaking UST incident. *See* 415 ILCS 5/40(a)(1) (2010); 35 Ill. Adm. Code 101.300(b), 105.206(c), 105.208(a), (c). In the decision, the Agency denied reimbursement of cleanup costs from the UST Fund for petitioner's leaking UST located at 1000 Vandustrial Drive, Westmont, DuPage County.

The Board extends the period to petition for a hearing until May 24, 2012, as the parties request. *See* 415 ILCS 5/40(a)(1) (2010); 35 Ill. Adm. Code 105.208(a). If Petitioner 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, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 1, 2012, by a vote of 5-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board