

ILLINOIS POLLUTION CONTROL BOARD  
June 7, 2001

WHITE OWL TRUCK STOP,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 01-164
	)	(UST – FRD)
ILLINOIS ENVIRONMENTAL	)	(90-Day Extension)
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

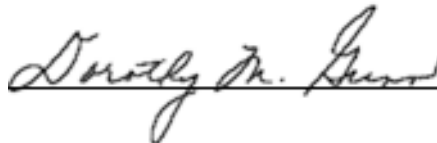
ORDER OF THE BOARD (by C.A. Manning):

On May 30, 2001, the parties filed a joint notice of extension of the 35-day period to appeal a decision of the Illinois Environmental Protection Agency (Agency). The certificate of service states that the joint notice of extension was mailed on May 22, 2001. The mailbox rule provides that if “a document is filed by U.S. Mail subsequent to a filing deadline, yet the postmark precedes the filing deadline, the document will be deemed filed on the postmark date.” 35 Ill. Adm. Code 101.300(b)(2). Since the joint notice of extension was postmarked prior to the filing deadline of May 24, 2001, the Board accepts it as timely filed.

Accordingly, as the notice does not specify a shorter period, the Board will grant the extension for a total of 125 days from the Agency’s April 19, 2001 decision. The Board hereby grants petitioner an extension of the time period for filing an appeal in the matter until August 22, 2001, pursuant to Section 40(a)(1) of the Environmental Protection Act (415 ILCS 5/40(a)(1) (2000)). Because the Board has timely received a joint notice of extension, the Board extends the appeal period to the aforementioned date. The Board will dismiss this matter and close the docket if petitioner fails to file an appeal on or before that date.

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 7th day of June 2001 by a vote of 7-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board