

ILLINOIS POLLUTION CONTROL BOARD
February 20, 2003

FREEDOM OIL COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 03-54
)	(UST Fund)
ILLINOIS ENVIRONMENTAL)	PCB 03-56
PROTECTION AGENCY,)	(UST Appeal)
)	PCB 03-105
Respondent.)	(UST Fund)
)	(Consolidated)

ORDER OF THE BOARD (by L.P. Padovan):

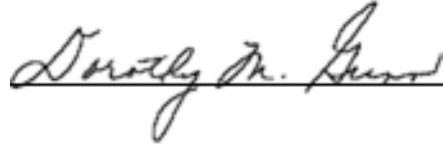
Freedom Oil Company (Freedom Oil) has filed three petitions asking the Board to review three final decisions of the Illinois Environmental Protection Agency (Agency). All of the Agency's decisions concern a leaking underground storage tank (UST) site—Freedom Oil's service station at 401 South Main Street in Paris, Edgar County. On January 23, 2003, the Board accepted the petitions for hearing, docketing the appeals separately as PCB 03-54, PCB 03-56, and PCB 03-105. Today the Board grants Freedom Oil's motion to consolidate the three appeals.

On February 13, 2003, Freedom Oil moved the Board to consolidate because the three cases "involve similar factual and legal [UST] appeal issues" and consolidation would promote efficiency without prejudicing either party. Motion at 1. The Board notes that the appeals involve the same leaking UST site and issues of Freedom Oil's cleanup and cleanup cost reimbursement from the UST Fund. The Board further notes that the Agency, the only other party, has represented that it does not oppose consolidation.

The Board grants Freedom Oil's motion. Presently, the three appeals do not have the same statutory deadline for final Board decision. The appeals are consolidated for hearing, but not necessarily for Board decision. *See* 35 Ill. Adm. Code 101.406. Future filings must reflect the amended caption of this order.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 20, 2003, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board