

ILLINOIS POLLUTION CONTROL BOARD  
September 4, 2003

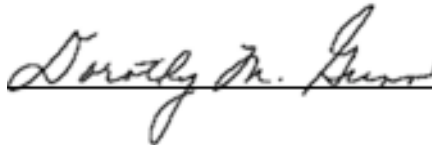
ANDY'S DRIVE-IN,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 04-21
	)	(UST Appeal)
ILLINOIS ENVIRONMENTAL	)	(90-Day Extension)
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

On August 27, 2003, the parties timely filed a joint notice to extend the 35-day period within which Andy's Drive-In may appeal a July 16, 2003 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.402, 105.406. Because the postmark date of the joint request is within the time for filing, the joint request was timely filed. 35 Ill. Adm. Code 101.300(b)(2), 105.404. At issue is the Agency's rejection of the corrective action plan for Andy's Drive-In's leaking underground petroleum storage tank facility located at 2308 Sycamore St., Cairo, Alexander County. The Board extends the appeal period until November 18, 2003, as the parties request. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Andy's Drive-In 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 September 4, 2003, by a vote of 5-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board