

ILLINOIS POLLUTION CONTROL BOARD
September 18, 2003

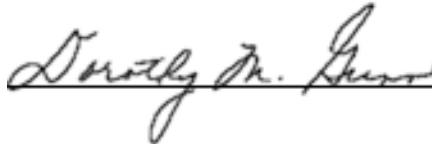
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|------------------------|---|--------------------|
| GARY SVACINA, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 04-25 |
| |) | (UST Appeal) |
| ILLINOIS ENVIRONMENTAL |) | (90-Day Extension) |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

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

On September 2, 2003, the parties timely filed a joint notice to extend the 35-day period within which Gary Svacina (Svacina) may appeal a July 23, 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 approval, with modifications, of a high priority corrective action plan for Svacina's leaking underground petroleum storage tank facility located at 5944 Lincoln Avenue, Morton Grove, Cook County. The Board extends the appeal period until December 1, 2003, the first business day after the date requested by the parties. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Svacina 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 18, 2003, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board