

ILLINOIS POLLUTION CONTROL BOARD
November 6, 2003

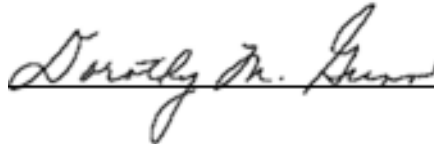
PAUL PHELAN,)	
)	
Petitioner,)	
)	
v.)	PCB 04-71
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On October 21, 2003, the parties timely filed a joint notice to extend the 35-day period within which Paul Phelan may appeal a September 11, 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 of the high priority corrective action plan and high priority corrective action plan budget, with modifications, for Paul Phelan's leaking underground petroleum storage tank facility located at 1008 North Main Street, Brighton, Macoupin County. The Board extends the appeal period until January 15, 2004, as the parties request. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Paul Phelan 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 November 6, 2003, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board