

ILLINOIS POLLUTION CONTROL BOARD
January 8, 2004

DETREX CORPORATION,)	
)	
Petitioner,)	
)	
v.)	PCB 04-104
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

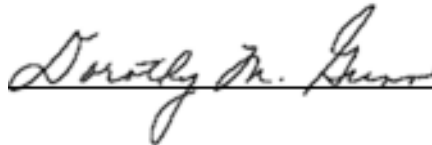
ORDER OF THE BOARD (by J.P. Novak):

On December 26, 2003, the parties timely filed a joint notice to extend the 35-day period within which Detrex Corporation may appeal a November 19, 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. The Agency rejected modifications to petitioner's RCRA corrective action plan for Detrex Corporation's leaking underground petroleum storage tank facility located at Melrose Park, Cook County. The Board extends the appeal period until March 23, 2004, which is the 125th day after the Agency determination. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Detrex Corporation fails to file an appeal on or before the March 23, 2004 date, the Board will dismiss this case and close the docket.

In so doing, the Board notes that the parties had requested an extension until April 27, 2004, which is the 160th day after November 19, 2003. In extending the appeal period through March 24, 2004, the Board has granted the maximum extension allowed under the Environmental Protection Act. *See* 415 ILCS 5/40(a)(1) (2002).

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 8, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board