

ILLINOIS POLLUTION CONTROL BOARD
March 18, 2004

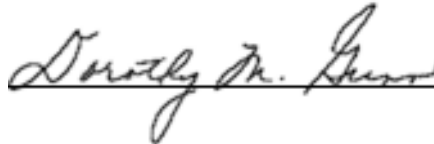
BIGGS BROTHERS SERVICE CENTER,)	
)	
Petitioner,)	
)	
v.)	PCB 04-159
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On March 15, 2004, the parties timely filed a joint notice to extend the 35-day period within which Biggs Brothers Service Center may appeal a February 4, 2004 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 approved petitioner's request for reimbursement from the UST Fund, with modifications, for Biggs Brothers Service Center's leaking underground petroleum storage tank facility located at 2540 North Kingshighway, Fairmont City, St. Clair County. The Board extends the appeal period until June 10, 2004, as the parties request. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Biggs Brothers Service Center 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 March 18, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board