

ILLINOIS POLLUTION CONTROL BOARD

October 21, 2004

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|------------------------------------|---|--------------------|
| ILLINOIS STATE TOLL HIGHWAY |) | |
| AUTHORITY (Lake Forest East CACR), |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 05-71 |
| |) | (UST Appeal) |
| ILLINOIS ENVIRONMENTAL |) | (90-Day Extension) |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

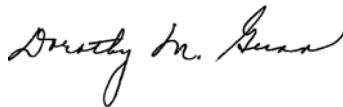
ORDER OF THE BOARD (by J.P. Novak):

On October 15, 2004, the parties timely filed a joint notice to extend the 35-day period within which Illinois State Toll Highway Authority may appeal a September 1, 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 granted petitioner's request for a no further remediation determination, with conditions added, for Illinois State Toll Highway Authority's leaking underground petroleum storage tank facility located at Lake Forest Oasis East, Tri-State Tollway Northbound, Lake Forest, Lake County.

The Board extends the appeal period until January 11, 2005.¹ *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Illinois State Toll Highway Authority 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 October 21, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

¹ The request was for January 12, 2005, which is beyond the time allowed under the Environmental Protection Act.