

ILLINOIS POLLUTION CONTROL BOARD
November 4, 2004

CITY OF SULLIVAN,)	
)	
Petitioner,)	
)	
v.)	PCB 05-73
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

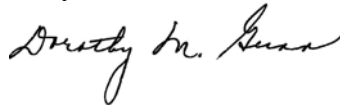
ORDER OF THE BOARD (by J.P. Novak):

On October 21, 2004, the parties timely filed a joint notice to extend the 35-day period within which City of Sullivan may appeal a September 13, 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 modified petitioner's high priority corrective action plan budget for City of Sullivan's leaking underground petroleum storage tank facility located at North Park Street, Sullivan, Moultrie County.

The Board extends the appeal period until January 17, 2005.¹ *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If City of Sullivan 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 4, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

¹ The request was for January 18, 2005, which is beyond the time allowed under the Environmental Protection Act.