

ILLINOIS POLLUTION CONTROL BOARD
February 3, 2005

BP PRODUCTS NORTH AMERICA, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 05-138
)	(RCRA Permit Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

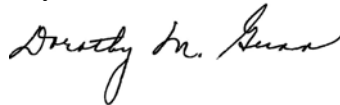
ORDER OF THE BOARD (by G.T. Girard):

On January 21, 2005, the parties timely filed a joint notice to extend the 35-day period within which BP Products North America, Inc. (BP Products) may appeal a December 15, 2004 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.206(c), 105.208(a), (c). 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 modification of the approved Resource Conservation and Recovery Act corrective action program, with conditions, for BP Products's permitted non-hazardous waste landfill facility at Wood River, Madison County.

The Board extends the appeal period until April 20, 2005.¹ *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.208(a). If BP Products 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 February 3, 2005, by a vote of 4-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

¹ The request was for April 24, 2005, which is beyond the time allowed under the Environmental Protection Act.