

ILLINOIS POLLUTION CONTROL BOARD
September 15, 2005

DOWNTOWN SHELL,)	
)	
Petitioner,)	
)	
v.)	PCB 06-38
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

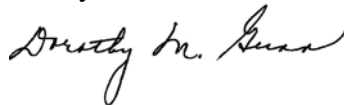
ORDER OF THE BOARD (by J.P. Novak):

On September 12, 2005, the parties timely filed a joint notice to extend the 35-day period within which Downtown Shell may appeal an August 5, 2005 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2004); 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 the high priority corrective action plan for Downtown Shell's leaking underground petroleum storage tank facility located at 317 West College Avenue, Greenville, Bond County.

The Board extends the appeal period until December 9, 2005, as the parties request. *See* 415 ILCS 5/40(a)(1) (2004); 35 Ill. Adm. Code 105.406. If Downtown Shell 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 September 15, 2005, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board