

ILLINOIS POLLUTION CONTROL BOARD
May 1, 2008

PARK RIDGE/7-ELEVEN, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 08-78
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On April 21, 2008, the Board received the parties' joint notice to extend the 35-day period within which Park Ridge/7-Eleven, Inc. (petitioner) may appeal a March 12, 2008 determination of the Illinois Environmental Protection Agency (Agency). Although the joint notice was received by the Board after the initial 35-day appeal period, the joint notice was timely-filed. *See* 415 ILCS 5/40(a)(1) (2006); 35 Ill. Adm. Code 105.406. The joint notice, which was sent by U.S. Mail, was postmarked April 16, 2008, and is deemed filed on that date by procedural rule. *See* 35 Ill. Adm. Code 101.300(b)(2). The Agency's determination concerns a leaking underground petroleum storage tank site located at 814 West Higgins Road in Park Ridge, Cook County. In the determination, the Agency rejected petitioner's corrective action plan budget.

The Board extends the appeal period until July 17, 2008, as the parties request. *See* 415 ILCS 5/40(a)(1) (2006); 35 Ill. Adm. Code 105.406. If petitioner 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, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 1, 2008, by a vote of 4-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board