

ILLINOIS POLLUTION CONTROL BOARD  
July 23, 2009

|                               |   |                    |
|-------------------------------|---|--------------------|
| CITY OF CHICAGO DEPARTMENT OF | ) |                    |
| GENERAL SERVICES,             | ) |                    |
|                               | ) |                    |
| Petitioner,                   | ) |                    |
|                               | ) |                    |
| v.                            | ) | PCB 10-02          |
|                               | ) | (UST Appeal)       |
| ILLINOIS ENVIRONMENTAL        | ) | (90-day Extension) |
| PROTECTION AGENCY,            | ) |                    |
|                               | ) |                    |
| Respondent.                   | ) |                    |

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

On July 2, 2009, the parties timely filed a joint notice to extend the 35-day period for City of Chicago Department of General Services (City) to appeal a June 2, 2009 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2008); 35 Ill. Adm. Code 101.300(b), 105.406. The determination concerns the City's leaking underground storage tank (UST) site at 1501 West Pershing Road in Chicago, Cook County. In the determination, the Agency rejected the City's February 2, 2009 Site Investigation Completion Report. According to the joint notice, the City received the Agency determination on June 4, 2009. Therefore, absent an extension, the deadline to file an appeal is July 9, 2009, which is the 35th day after the City received the Agency determination. *See* 35 Ill. Adm. Code 105.404.

The Board extends the appeal period until October 7, 2009, as the parties request. 415 ILCS 5/40(a)(1) (2008); *See* 35 Ill. Adm. Code 105.406. If the City 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 Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on July 23, 2009, by a vote of 5-0.



---

John Therriault, Assistant Clerk  
Illinois Pollution Control Board