

ILLINOIS POLLUTION CONTROL BOARD
October 1, 2009

SPIRIT ENERGY, L.L.C.,)
)
 Petitioner,)
)
 v.) PCB 09-130
) (UST Appeal)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

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

On July 23, 2009, at the parties' request, the Board extended until September 23, 2009, the time period for Spirit Energy, L.L.C. (Spirit) to appeal a May 18, 2009 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2008); 35 Ill. Adm. Code 105.406. The determination concerns Spirit's underground storage tank (UST) site at 315 East Walnut Street in Carbondale, Jackson County. The Agency modified a Free Product Removal Plan and corresponding budget regarding Spirit's UST site. Because Spirit failed to timely file an appeal, the Board dismisses this case and closes 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 October 1, 2009, by a vote of 5-0.



John Therriault, Assistant Clerk
Illinois Pollution Control Board