

ILLINOIS POLLUTION CONTROL BOARD
April 26, 2018

NIEMANN FOODS, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 18-76
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by C.M. Santos):

On April 13, 2018, the parties timely filed a joint notice to extend the 35-day period within which Niemann Foods, Inc. (Niemann Foods) may appeal a March 23, 2018 determination of the Illinois Environmental Protection Agency (IEPA). *See* 415 ILCS 5/40(a)(1) (2012); 35 Ill. Adm. Code 101.300(b), 105.404(b), 105.406. The determination concerns Niemann Foods' underground storage tank (UST) site located at 825-929 West Washington Street in Pittsfield, Pike County. The Agency partially denied Niemann Foods' request for reimbursement from the UST Fund.

The Board extends the appeal period until July 30, 2018, as the parties request. *See* 415 ILCS 5/40(a)(1) (2016); 35 Ill. Adm. Code 105.406. If Niemann Foods fails to file an appeal on or before that date, the Board will dismiss this case and close the docket.

IT IS SO ORDERED.

Board Member U-Jung Choe abstained.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on April 26, 2018, by a vote of 4-0.



Don A. Brown, Clerk
Illinois Pollution Control Board