

ILLINOIS POLLUTION CONTROL BOARD  
January 26, 2007

MIKUSKA INVESTMENTS, LTD.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 07-60
	)	(UST Appeal)
ILLINOIS ENVIRONMENTAL	)	(90-Day Extension)
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

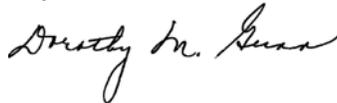
ORDER OF THE BOARD (by G.T. Girard):

On January 3, 2007, the parties timely filed a joint notice to extend the 35-day period within which Mikuska Investments, Ltd. (Mikuska) may appeal a December 6, 2006 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 based on the petitioner's receipt of the determination on December 9, 2006 as the parties assert, the joint request was timely filed. 35 Ill. Adm. Code 101.300(b)(2), 105.404. The Agency declined reimbursement for specified costs for corrective action at Mikuska's leaking underground petroleum storage tank facility located at 112 North Larkin Ave., Joliet, Will County.

The Board extends the appeal period until April 13, 2007, as the parties request, based on the December 9, 2006 receipt date. *See* 415 ILCS 5/40(a)(1) (2004); 35 Ill. Adm. Code 105.406. If Mikuska 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 January 26, 2007, by a vote of 4-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board