

ILLINOIS POLLUTION CONTROL BOARD
April 19, 2007

ESTATE OF FRED JOHNSON,)	
)	
Petitioner,)	
)	
v.)	PCB 07-87
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

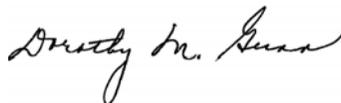
ORDER OF THE BOARD (by G.T. Girard):

On March 19, 2007, the Board received a joint notice to extend the 35-day period within which the Estate of Fred Johnson (Johnson) may appeal a February 8, 2007 determination of the Illinois Environmental Protection Agency (Agency). According to the joint notice, Johnson received the Agency determination on February 9, 2007. The joint request was therefore timely filed because it was postmarked on March 15, 2007, the day before the filing deadline. *See* 415 ILCS 5/40(a)(1) (2004); 35 Ill. Adm. Code 101.300(b)(2), 105.406. The Agency's determination concerns Johnson's leaking underground storage tank site located at 9th Street and Fair Avenue in Pana, Christian County. In the determination, the Agency modified Johnson's Amended High Priority Corrective Action Plan and Budget.

The Board extends the appeal period until June 14, 2007, as the parties request. *See* 415 ILCS 5/40(a)(1) (2004); 35 Ill. Adm. Code 105.406. If Johnson 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 April 19, 2007, by a vote of 3-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board