

ILLINOIS POLLUTION CONTROL BOARD
July 10, 2008

ARCHER DANIELS MIDLAND COMPANY,))	
QUINCY,))	
))	
Petitioner,))	
))	
v.))	PCB 09-1
))	(NPDES Permit Appeal)
ILLINOIS ENVIRONMENTAL))	(60-Day Extension)
PROTECTION AGENCY,))	
))	
Respondent.))	

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

On July 3, 2008, the parties timely filed a joint request to extend by 60 days the 35-day period within which Archer Daniels Midland Company (ADM) may appeal a May 22, 2008 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2006); 35 Ill. Adm. Code 101.300(b), 105.206, 105.208. The request was timely filed because it was postmarked on or before the filing deadline. *See* 35 Ill. Adm. Code 101.300(b)(2) (“mailbox” rule). The Agency’s determination concerns ADM’s facility located at 2100 Gardner Expressway in Quincy, Adams County. In the determination, the Agency issued a National Pollutant Discharge Elimination System (NPDES) permit to ADM with conditions.

The Board extends the appeal period until September 2, 2008, which is the first business day following the 60th day after the 35-day appeal period. *See* 415 ILCS 5/40(a)(1) (2006); 35 Ill. Adm. Code 101.300(a), 105.208. If ADM 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 10, 2008, by a vote of 4-0.



John Therriault, Assistant Clerk
Illinois Pollution Control Board