

ILLINOIS POLLUTION CONTROL BOARD  
May 6, 2004

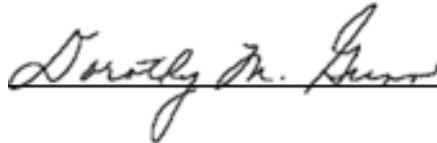
|                               |   |              |
|-------------------------------|---|--------------|
| DRAKE TOWER APARTMENTS, INC., | ) |              |
|                               | ) |              |
| Petitioner,                   | ) |              |
|                               | ) |              |
| v.                            | ) | PCB 04-130   |
|                               | ) | (UST Appeal) |
| ILLINOIS ENVIRONMENTAL        | ) |              |
| PROTECTION AGENCY,            | ) |              |
|                               | ) |              |
| Respondent.                   | ) |              |

ORDER OF THE BOARD (by J.P. Novak):

On February 5, 2004, at the parties' request, the Board extended until April 8, 2004, the time period for Drake Tower Apartments, Inc. (Drake Tower Apartments) may appeal a December 5, 2003 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 101.300(b), 105.402, 105.406. The Agency rejected the high priority corrective action plan for Drake Tower Apartments' leaking underground petroleum storage tank facility located at 179 East Lake Shore Drive, Chicago, Cook County. Because petitioner failed to timely file an appeal, the Board dismisses this case and closes 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 May 6, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board