

ILLINOIS POLLUTION CONTROL BOARD
August 19, 2004

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|--------------------------|---|--------------------|
| L. KELLER OIL PROPERTIES |) | |
| (DOWNTOWN SHELL), |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 05-22 |
| |) | (UST Appeal) |
| ILLINOIS ENVIRONMENTAL |) | (90-Day Extension) |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

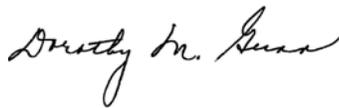
ORDER OF THE BOARD (by J.P. Novak):

On August 9, 2004, the parties timely filed a joint notice to extend the 35-day period within which L. Keller Oil Properties may appeal a June 30, 2004 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.402, 105.406. Because the postmark date of the joint request is within the time for filing, the joint request was timely filed. 35 Ill. Adm. Code 101.300(b)(2), 105.404. The Agency rejected petitioner's sixth amendment to the high priority corrective action plan budget for L. Keller Oil Properties's leaking underground petroleum storage tank facility located at 203 South Third Street, and Fayette Avenue, in Effingham, Effingham County.

The Board extends the appeal period until November 3, 2004, as the parties request. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If L. Keller Oil Properties 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 August 19, 2004, by a vote of 4-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board