

ILLINOIS POLLUTION CONTROL BOARD
June 2, 2005

| | | |
|------------------------|---|--------------------|
| PETE'S MARATHON, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 05-197 |
| |) | (UST Appeal) |
| ILLINOIS ENVIRONMENTAL |) | (90-Day Extension) |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

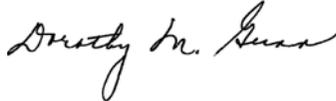
ORDER OF THE BOARD (by J.P. Novak):

On May 20, 2005, the parties timely filed a joint notice to extend the 35-day period within which Pete's Marathon may appeal an April 12, 2005 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 denied a request for reimbursement of certain costs of corrective action from the Underground Storage Tank Fund for Pete's Marathon's leaking underground petroleum storage tank facility located at 539 South Poplar, Centralia, Marion County.

The Board extends the appeal period until August 17, 2005, as the parties request. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Pete's Marathon 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 June 2, 2005, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board