

ILLINOIS POLLUTION CONTROL BOARD

June 7, 2001

MCHENRY STORAGE,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 01-122
	)	(UST - FRD)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by C.A. Manning):

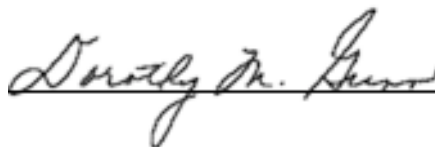
On March 8, 2001, the Illinois Environmental Protection Agency (Agency) and petitioner filed a request for extension of the 35-day appeal period pursuant to Section 40 of the Environmental Protection Act (Act) (415 ILCS 5/40(a)(1) (2000)), relating to a January 30, 2001 Agency determination. On June 4, 2001, McHenry Storage (Storage) filed a petition for review of an Agency determination regarding petitioner's request for reimbursement from the Underground Storage Tank Fund. The petitioner allegedly incurred such expenses at its facility located in McHenry County.

The Board accepts this matter for hearing. The Board's rules require that the Agency file its entire record of the reimbursement application within 30 days of notice of the petition. See 35 Ill. Adm. Code 105.116. Hearings must be scheduled and completed in a timely manner, pursuant to the applicable statutory decision deadline, or the deadline as extended by waiver. See 35 Ill. Adm. Code. 101.308, 105.114.

Absent any future waivers of the decision deadline, the statutory decision deadline is now October 2, 2001 (120 days from June 4, 2001); the Board meeting immediately preceding the decision deadline is scheduled for September 20, 2001.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 7th day of June 2001 by a vote of 7-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board