

ILLINOIS POLLUTION CONTROL BOARD
March 6, 2003

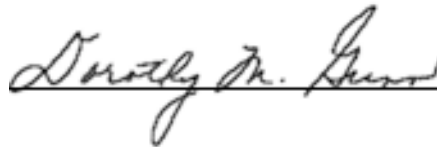
BRUNNER BROTHERS,)	
)	
Petitioner,)	
)	
v.)	PCB 03-127
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by T.E. Johnson):

On February 20, 2003, the parties placed in the U.S. mail a joint request to extend the 35-day period within which Brunner Brothers (Brunner) may appeal a January 15, 2003 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.206(c), 105.208(a), (c). The Agency served Brunner with its January 15, 2003 determination on January 16, 2003. The Board received the parties' joint request on February 21, 2003. Because the postmark date of the request is within the deadline period starting from the date of service of the Agency's determination, the joint request was timely filed. *See* 101.300(b)(2); 35 Ill. Adm. Code 105.206(c). The Agency denied the proposed budget amendment to a high priority corrective action budget regarding Brunner's leaking underground storage tank site at 300 East Pearl Street in Tremont, Tazewell County. The Board extends the appeal period until May 21, 2003. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.208(a). If Brunner 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 March 6, 2003, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board