

ILLINOIS POLLUTION CONTROL BOARD
February 5, 2004

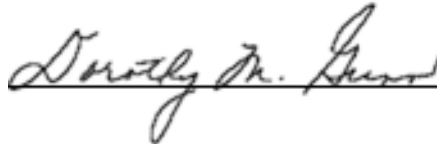
DRAKE TOWER APARTMENTS, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 04-130
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On January 20, 2004, the parties timely filed a joint notice to extend the 35-day period within which 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 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 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. The Board extends the appeal period until April 8, 2004, as the parties request. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Drake Tower Apartments 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 February 5, 2004, by a vote of 4-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board