

ILLINOIS POLLUTION CONTROL BOARD

January 8, 2004

ILLINOIS STATE TOLL HIGHWAY	)	
AUTHORITY (Des Plaines South),	)	
	)	
Petitioner,	)	
	)	PCB 04-103
v.	)	(UST Appeal)
	)	(90-Day Extension)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

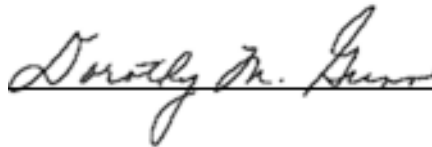
ORDER OF THE BOARD (by J.P. Novak):

On December 26, 2003, the parties timely filed a joint notice to extend the 35-day period within which the Illinois State Toll Highway Authority may appeal a November 18, 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 approved petitioner's high priority corrective action plan, with modifications, with modifications, for the Illinois State Toll Highway Authority's leaking underground petroleum storage tank facility located at mile post 4.5 on the east bound Northwest Tollway, Des Plaines, Cook County. The Board extends the appeal period until March 24, 2004, which is the 125th day after the Agency determination. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If the Illinois State Toll Highway Authority fails to file an appeal on or before the March 24, 2004 date, the Board will dismiss this case and close the docket.

In so doing, the Board notes that the parties had requested an extension until April 26, 2004, which is the 160th day after November 18, 2003. In extending the appeal period through March 24, 2004, the Board has granted the maximum extension allowed under the Environmental Protection Act. *See* 415 ILCS 5/40(a)(1) (2002).

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 8, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board