

ILLINOIS POLLUTION CONTROL BOARD
June 3, 2004

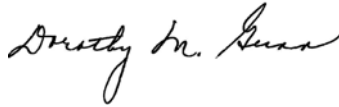
AUBURN REALTY,)	
)	
Petitioner,)	
)	
v.)	PCB 04-202
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On May 19, 2004, the parties timely filed a joint notice to extend the 35-day period within which Auburn Realty may appeal an April 9, 2004 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 petitioner's high priority corrective action plan for Auburn Realty's leaking underground petroleum storage tank facility located at Highway 48 and 5th Street, Palmer, Christian County. The Board extends the appeal period until August 16, 2004, as the parties request. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Auburn Realty 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 3, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board