

ILLINOIS POLLUTION CONTROL BOARD

February 5, 2004

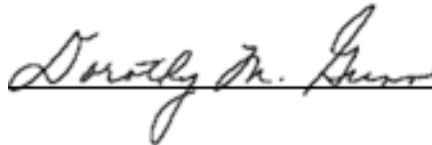
BOYE NEEDLE FACILITY,)	
)	
Petitioner,)	
)	
v.)	
)	PCB 04-128
ILLINOIS ENVIRONMENTAL)	(UST Appeal)
PROTECTION AGENCY,)	(90-Day Extension)
)	
Respondent.)	
)	

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

On January 26, 2004, the parties timely filed a joint notice to extend the 35-day period within which Boye Needle Facility may appeal a December 18, 2003 determination of the Illinois Environmental Protection Agency (Agency).¹ 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 request for reimbursement from the UST Fund, with modifications, for Boye Needle Facility's leaking underground petroleum storage tank facility located at 4343-4357 North Ravenswood, Chicago, Cook County. The Board extends the appeal period until April 22, 2004, as the parties request. See 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Boye Needle Facility 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

¹ Pioneer Engineering & Environmental Services filed with the Board on January 20, 2004, a copy of its request to the Agency on behalf of Boye Needle Facility for an extension of the 35-day filing period.