

ILLINOIS POLLUTION CONTROL BOARD
May 6, 2004

PAUL PHELAN,)	
)	
Petitioner,)	
)	
v.)	PCB 04-188
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

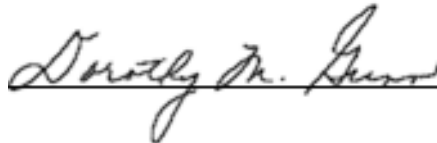
ORDER OF THE BOARD (by J.P. Novak):

On April 27, 2004, the parties timely filed a joint notice to extend the 35-day period within which Paul Phelan may appeal a March 18, 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 approved petitioner's high priority corrective action plan and high priority corrective action plan budget, with modifications, for Paul Phelan's leaking underground petroleum storage tank facility located at 1008 North Main Street, Brighton, Macoupin County.

The Board extends the appeal period until July 22, 2004, as the parties request. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Paul Phelan 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 May 6, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board