

ILLINOIS POLLUTION CONTROL BOARD

August 5, 2004

BILL CARTER d/b/a CARTER)	
CONVENIENCE STORE,)	
)	
Petitioner,)	
)	
v.)	PCB 05-15
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

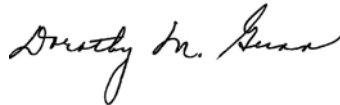
ORDER OF THE BOARD (by J.P. Novak):

On July 30, 2004, the parties timely filed a joint notice to extend the 35-day period within which Bill Carter d/b/a Carter Convenience Store may appeal a June 22, 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 budget amendment for Bill Carter d/b/a Carter Convenience Store's leaking underground petroleum storage tank facility located at 809 Loy Street, Mill Shoals, White County.

The Board extends the appeal period until October 26, 2004, as the parties request. See 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Bill Carter d/b/a Carter Convenience Store 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 August 5, 2004, by a vote of 4-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board