

ILLINOIS POLLUTION CONTROL BOARD
October 7, 2004

HAROLD HART SERVICE,)	
)	
Petitioner,)	
)	
v.)	PCB 05-61
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

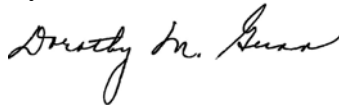
ORDER OF THE BOARD (by J.P. Novak):

On September 28, 2004, the parties timely filed a joint notice to extend the 35-day period within which Harold Hart Service may appeal an August 19, 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 denied petitioner's request for reimbursement from the UST Fund of certain costs for corrective action for Harold Hart Service's leaking underground petroleum storage tank facility located at 2605 College Avenue, Alton, Madison County.

The Board extends the appeal period until December 27, 2004, as the parties request. *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. If Harold Hart Service 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 October 7, 2004, by a vote of 4-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board