

ILLINOIS POLLUTION CONTROL BOARD
June 21, 2007

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|------------------------|---|--------------------|
| GALLAHER'S SHELL, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 07-130 |
| |) | (UST Appeal) |
| ILLINOIS ENVIRONMENTAL |) | (90-Day Extension) |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

ORDER OF THE BOARD (by G.T. Girard):

On June 8, 2007, the Board received a joint notice to extend the 35-day period within which Gallaher's Shell (Gallaher) may appeal a May 8, 2007 determination of the Illinois Environmental Protection Agency (Agency). According to the joint notice, Gallaher received the Agency determination on May 10, 2007. The joint request was therefore timely filed. *See* 415 ILCS 5/40(a)(1) (2006); 35 Ill. Adm. Code 101.300(b)(2), 105.406. The Agency's determination concerns Gallaher's leaking underground storage tank site located at 1580 Mulholland Street in Hancock County. In the determination, the Agency accepted Gallaher's Corrective Action Plan but modified the budget.

The Board extends the appeal period until September 12, 2007, as the parties request, based on the May 10, 2007 decision receipt date. *See* 415 ILCS 5/40(a)(1) (2006); 35 Ill. Adm. Code 105.406. If Gallaher 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, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 21, 2007, by a vote of 4-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board