

ILLINOIS POLLUTION CONTROL BOARD
December 4, 2008

S & D REALTY, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 09-33
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

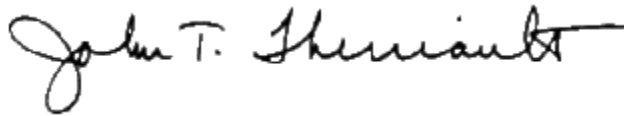
ORDER OF THE BOARD (by G.T. Girard):

On November 18, 2008, the parties timely filed a joint request to extend the 35-day period within which S & D Realty, Inc. (S & D) may appeal an October 10, 2008 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2006); 35 Ill. Adm. Code 101.300(b)(2) (deemed filed on U.S. Mail postmark date), 105.406. The Agency's determination concerns a leaking petroleum underground storage tank (UST) site located at 3935 South Archer Avenue in Chicago, Cook County. The Agency partially denied S & D's request for reimbursement of costs from the UST Fund.

The Board extends the appeal period until February 16, 2009, as the parties request. *See* 415 ILCS 5/40(a)(1) (2006); 35 Ill. Adm. Code 105.406. If S & D 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 Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on December 4, 2008, by a vote of 5-0.



John Therriault, Assistant Clerk
Illinois Pollution Control Board