

ILLINOIS POLLUTION CONTROL BOARD
July 23, 2009

SPIRIT ENERGY, L.L.C.,)	
)	
Petitioner,)	
)	
v.)	PCB 09-130
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On June 26, 2009, the parties timely filed a joint notice to extend the 35-day period within which Spirit Energy, L.L.C. (Spirit) may appeal a May 18, 2009 determination of the Illinois Environmental Protection Agency (Agency). The joint notice was timely filed because it was postmarked on or before the filing deadline. *See* 415 ILCS 5/40(a)(1) (2008); 35 Ill. Adm. Code 101.300(b), 105.206(c), 105.208(a), (c). In the determination, the Agency modified a Free Product Removal Plan and corresponding budget concerning Spirit's leaking underground storage tank (UST) site located at 315 East Walnut Street in Carbondale, Jackson County.

The Board extends the appeal period until September 23, 2009, as the parties request. *See* 415 ILCS 5/40(a)(1) (2008); 35 Ill. Adm. Code 105.208(a). If Spirit 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 July 23, 2009, by a vote of 5-0.



John Therriault, Assistant Clerk
Illinois Pollution Control Board