

ILLINOIS POLLUTION CONTROL BOARD
January 6, 2010

EXXONMOBIL OIL CORPORATION,)	
)	
Petitioner,)	
)	
v.)	PCB 11-33
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	(90-Day Extension)
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On December 22, 2010, the parties timely filed a joint request to extend the 35-day period within which ExxonMobil Oil Corporation (ExxonMobil) may appeal a November 9, 2010 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2008); 35 Ill. Adm. Code 105.406. As the Certificate of Service states that the Agency served the request by U.S. Mail on December 13, 2010, the request is deemed timely under the Board's procedural rules. *See* 35 Ill. Adm. Code 101.300(b).

In the determination, the Agency stated that previous claims received by the Agency for the site should have been apportioned and determined on various grounds to deny ExxonMobil's entire application for payment of \$13,030.34 from the Underground Storage Tank (UST) Fund. The determination concerns ExxonMobil's leaking UST site known as Jim's Service, which is located at 1940 South MacArthur in Springfield, Sangamon County.

The Board extends the appeal period until March 16, 2011, as the parties request. *See* 415 ILCS 5/40(a)(1) (2008); 35 Ill. Adm. Code 101.300(a), 105.406. If ExxonMobil 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 January 6, 2011, by a vote of 5-0.



John Therriault, Assistant Clerk
Illinois Pollution Control Board