**Section 105.208 Extension of Time to File a Petition for Review**

a) Permit or Other Agency Final Decision. For appeals under Section 40(a)(1) of the Act, *the 35-day period* described in Section 105.206(a) of this Subpart *for petitioning for a hearing may be extended by the applicant for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Agency within the initial appeal period.*  [415 ILCS 5/40(a)(1)]

1) The applicant and the Agency must jointly file a request for extension within 35 days after the date of service of the Agency's final decision.

2) The joint request may seek an appeal period not exceeding 125 days from the date of service of the Agency's final decision to file a petition for review under this Subpart.

b) Hazardous Waste Permit. For appeals under Section 40(c) of the Act, *the 35-day period* described in Section 105.206(b) *for petitioning for a hearing may be extended by the applicant for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Agency within the initial appeal period. If another person with standing to appeal a hazardous waste disposal permit wishes to obtain an extension, there must be a written notice provided to the Board by that person, the Agency, and the applicant, within the initial appeal period.* [415 ILCS 5/40(c)]

1) If the applicant is the petitioner, the applicant and the Agency must jointly file a request for extension within 35 days after the date of issuance of the Agency's final decision.

2) If a person with standing other than the applicant is the petitioner, the Agency, the applicant, and that person must jointly file a request for extension within 35 days after the date of issuance of the Agency's final decision.

3) The joint request may seek an appeal period not exceeding 125 days from the date of issuance of the Agency's final decision to file a petition for review under this Subpart.

c) Any request for extension of time under this Section must be accompanied by written evidence that the Agency joins in the request, e.g., affidavit of the petitioner or signature of the Agency's representative.

d) Extensions of time to file petitions under Section 105.204(b), (c), or (e) are not available.

(Source: Amended at 41 Ill. Reg. 10084, effective July 5, 2017)