

ILLINOIS POLLUTION CONTROL BOARD
March 19, 2026

SINGH INC. OF ILLINOIS,)
)
Petitioner,)
)
v.) PCB 26-40
) (UST Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by B.F. Currie):

On December 18, 2025, at the parties' request, the Board extended until March 17, 2026, the time period for Singh Inc. of Illinois (Singh Inc.) to appeal a November 5, 2025 determination of the Illinois Environmental Protection Agency (Agency). The Agency's determination concerns Singh Inc.'s underground storage tank (UST) site located at 43067 North Highway 41 in Russell, Lake County.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2024)), the Agency decides whether to approve proposed cleanup plans and budgets for leaking UST sites, as well as requests for cleanup cost reimbursement from the State's UST Fund, which consists of UST fees and motor fuel taxes. If the Agency disapproves or modifies a submittal, the UST owner or operator may appeal the decision to the Board. *See* 415 ILCS 5/40(a)(1), 57-57.17 (2024); 35 Ill. Adm. Code 105.Subpart D.

On March 12, 2026, the Board received from Konicek Environmental Consulting, LLC a letter signed by Gregory A. Konicek, P.G., asking the Board to review the Agency determination. For the reasons below, the Board accepts the letter as a timely petition for review but directs Singh Inc. to file an amended petition to cure deficiencies identified in this order.

The Board's procedural rules require that a petition for review must include:

- a) The Agency's final decision or issued permit;
- b) A statement specifying the date of issuance or service of the Agency's final decision or issued permit, as applicable under Section 105.206; [and]
- c) A statement specifying the grounds of appeal. 35 Ill. Adm. Code 105.210.

The procedural rules also require that a petition for review must include a \$75 filing fee. 35 Ill. Adm. Code 101.302(e)(3); *see* 415 ILCS 5/7.5(a) (2024). In addition, the petition must be served on the Agency. *See* 35 Ill. Adm. Code 101.204. Finally, Singh Inc.'s letter does not

indicate that Mr. Konicek is an attorney licensed and registered to practice law in Illinois. In an adjudicatory proceeding before the Board such as this appeal of an Agency UST determination, any party other than an individual must be represented by an attorney licensed and registered to practice law. *See* 35 Ill. Adm. Code 101.400(a)(2).

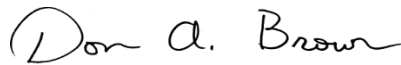
Singh Inc.'s letter does not include a copy of the Agency's final decision, a statement specifying the specific grounds of appeal, the statutory filing fee, any appearance by an attorney, or notice of service upon the Agency.

On March 18, 2026, IEPA filed a motion to dismiss the petition. This filing arrived after the agenda was finalized for the March 19, 2026 Board meeting. The Board will address the motion at a subsequent meeting.

Singh Inc. must file an amended petition addressing these deficiencies and serve it on the Agency within 30 days of the date of this order on or before April 20, 2026, before the Board can accept the case for hearing. *See* Calhoun Co. Rural Water Dist. v. IEPA, PCB 15-74 (Jan. 8, 2015); ESG Watts, Inc. v IEPA, PCB 06-06 (July 21, 2004). If the Board does not receive an amended petition by April 20, 2026, the Board will dismiss this case and close the docket.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 19, 2026, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board