

ILLINOIS POLLUTION CONTROL BOARD
May 17, 2001

PREMCOR REFINING GROUP, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 01-116
)	(UST – Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	
)	

ORDER OF THE BOARD (by M. McFawn):

On April 11, 2001, Premcor Refining Group, Inc. (PRG), filed a petition for review of an Illinois Environmental Protection Agency (Agency) determination regarding petitioner's application for costs associated with the implementation of a high priority corrective action plan associated with underground storage tank remediation expenses. The petitioner allegedly incurred such expenses at its facility located at 6101 South Cass Avenue, DuPage County, Westmont, Illinois. PRG's petition did not contain a notice of filing or a proof of service on the Agency.

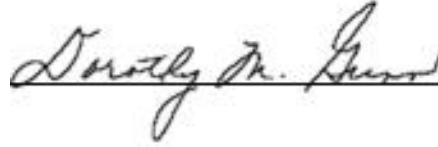
On April 19, 2001, the Board entered an order directing PRG to file an amended petition showing proof of service of the petition for review on the Agency and an appearance by an attorney on or before May 24, 2001, or the petition will be subject to dismissal. On May 14, 2001, PRG filed an amended petition with an attached certificate of service demonstrating service upon the Agency attorney or record in this matter. PRG also filed an appearance for its counsel.

The Board accepts this matter for hearing. The Board's rules require that the Agency file its entire record within 30 days of notice of the petition. See 35 Ill. Adm. Code 105.116. Hearings must be scheduled and completed in a timely manner, pursuant to the applicable statutory decision deadline, or the deadline as extended by waiver. See 35 Ill. Adm. Code. 101.308, 105.114.

Absent any future waivers of the decision deadline, the statutory decision deadline is now September 9, 2001 (120 days from May 14, 2001); the Board meeting immediately preceding the decision deadline is scheduled for September 6, 2001.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 17th day of May 2001 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board