

ILLINOIS POLLUTION CONTROL BOARD
June 4, 1992

JAMES LYNCH,)
)
Petitioner,)
)
v.) PCB 92-81
) (Underground Storage Tank
) Reimbursement Determination)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

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


On June 1, 1992, the Board received a petition for review of an Illinois Environmental Protection Agency (Agency) determination regarding reimbursement from the underground storage tank fund. The petition is deficient in that the petition lacks pertinent information regarding the following:

- 1) The date that the Agency determination was made;
- 2) The date that reimbursement was sought;
- 3) The specific reasons for denial of reimbursement.

In addition, it would be very helpful if the amended petition contained a copy of the Agency denial letter. Unless an amended petition is filed within 45 days of the date of this order, curing the above-noted defects, this matter will be subject to dismissal. The Board notes that for purposes of calculation of timeliness of filing the Board will use the June 1, 1992 date; however, for purposes of calculation of a decision deadline pursuant to Section 40 of the Act, the filing of an amended petition will restart the calculation of the Board's 120 day deadline.

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 4th day of June, 1992, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board