

ILLINOIS POLLUTION CONTROL BOARD
June 23, 1992

MONTGOMERY COUNTY,)	
ILLINOIS,)	
)	
Complainant,)	
)	
v.)	AC 92-24
)	(MCHD 9201-AC-1)
)	(Administrative Citation)
)	
WHITE & BREWER TRUCKING,)	
INC.,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J.C. Marlin):

The Board closed this docket by entry of a default order on May 7, 1992. On May 26, 1992, the Board received a letter from counsel which states:

Our office represents White & Brewer Trucking, Inc. They received an order of the Board on May 7 which indicates no petition from the original citation was filed.

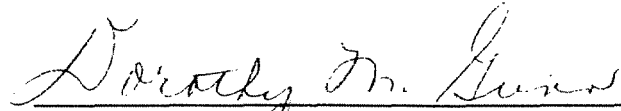
On behalf of White & Brewer I prepared a petition, a copy of which is enclosed, and mailed it per the proof of service. Also from my file I can't prove by certified mail receipt that we mailed this petition, however, seldom do we use certified mail. Nor do I believe it was required in this case. My only thought was that our letter was misrouted somewhere along the way.

A "cc" notation indicates that this letter was sent to the County, the Agency, and the respondent. However, no responses have been received.

The Office of the Board's Clerk has no record of receipt of this petition. As the letter and its enclosures are not supported by affidavit, and the certificate of service dated April 14, 1992 is not notarized, the Board will not rule on this motion at this time. Respondent is given leave to file an affidavit on or before July 7, 1992. Complainant shall file its response, if any, on or before July 21, 1992.

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 23rd day of June, 1992, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board