

ILLINOIS POLLUTION CONTROL BOARD  
June 8, 2000

FRANK GENTILE,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 00-153
	)	(UST - Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by C.A. Manning):

On February 29, 2000, the Illinois Environmental Protection Agency (Agency) issued a final determination, denying Frank Gentile's (petitioner) request for reimbursement from the Underground Storage Tank Fund. Petitioner filed a letter with the Board on March 16, 2000, that requested a 90-day extension of the appeal period. The Agency did not file a joint request for extension.

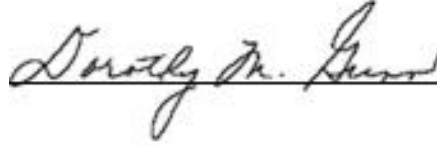
The Board issued an order on April 20, 2000, granting petitioner 30 days from the date of the order to file an amended petition for review. If the petitioner did not file an amended petition, the order stated that the Board would dismiss this matter and close the docket. Petitioner did not file an amended petition for review within 30 days after the April 20, 2000 Board order.

On April 28, 2000, the Agency filed a motion to dismiss this matter on the grounds that petitioner's request did not meet the criteria of a petition for review, and that petitioner did not serve the Agency with the letter. The Board is not required to address the arguments raised in the Agency's motion to dismiss because that motion became moot by petitioner's failure to file an amended petition by May 20, 2000.

Therefore, the Board dismisses this matter and closes this docket for petitioner's failure to file an amended petition within the time allotted by the Board's order issued on April 20, 2000.

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 8th day of June 2000 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