

ILLINOIS POLLUTION CONTROL BOARD
June 3, 1999

STAHLY CARTAGE COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 99-178
)	(UST - Reimbursement)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

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

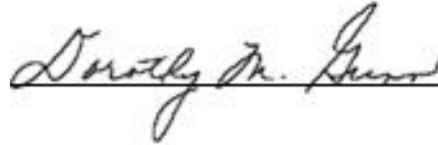
This petition for review, filed on June 1, 1999, requests that the Board review a May 4, 1999 Illinois Environmental Protection Agency (Agency) final determination regarding petitioner's facility located at 4206 Wagon Wheel Road, South Roxana, Madison County, Illinois. The Board accepts this matter for hearing. Hearings shall be scheduled and completed in a timely manner pursuant to the applicable statutory decision deadline or as extended by waiver (see 415 ILCS 5/40(a)(2) (1996), 35 Ill. Adm. Code 101.105). Unless otherwise ordered by the hearing officer, the Agency shall file the record of its review in this matter within 14 days of notice of the petition. See 35 Ill. Adm. Code 105.102.

This petition was filed on petitioner's behalf by a consulting firm, Safety Partners, LTD. Safety Partners, LTD is identified in the petition as "acting on behalf of" the petitioner. As the Board has found in several recent cases, Illinois law prohibits non-attorneys from representing other individuals or corporations before the Board. 35 Ill. Adm. Code 101.107. See, e.g., In the Matter of: Petition of Recycle Technologies, Inc. for an Adjusted Standard from 35 Ill. Adm. Code 720.131(c) (July 10, 1997), AS 97-9. 705 ILCS 205/1 (1996). Therefore, petitioner will need to proceed through an amended petition filed by a properly licensed attorney who has entered an appearance in this case. The Board grants petitioner 30 days in which to retain an attorney and for that attorney to file an amended petition and appearance. If an attorney's appearance is not filed on or before July 3, 1999, this action may be subject to dismissal. The filing of an amended petition will restart the decision timeclock.

IT IS SO ORDERED.

Board Member G.T. Girard dissented.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 3rd day of June 1999 by a vote of 6-1.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board