

ILLINOIS POLLUTION CONTROL BOARD
February 6, 2003

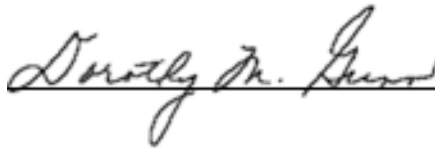
PACELLA & SONS,)	
)	
Petitioner,)	
)	
v.)	PCB 02-47
)	(UST Fund)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by T.E. Johnson):

On January 17, 2003, Pacella & Sons (Pacella) filed a petition to dismiss appeal. On October 21, 2001, Pacella filed a petition asking the Board to review a September 24, 2001 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40 (a)(1) (2002); 35 Ill. Adm. Code 105.406. The Agency denied a portion of Pacella's corrective action cost reimbursement request regarding an underground storage tank site in Cook County. In Pacella's petition to dismiss appeal, Pacella states that the matter in controversy was resolved on November 25, 2002, when the Agency issued a revised leaking underground storage tank (LUST) reimbursement letter. Because no controversy remains, the Board dismisses the case and closes the docket.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 6, 2003, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board