

ILLINOIS POLLUTION CONTROL BOARD
September 3, 2009

MERTZ MOTOR CO.,)	
)	
Petitioner,)	
)	
v.)	PCB 09-109
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

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

On May 21, 2009, at the parties' request, the Board extended until August 21, 2009, the time period for Mertz Motor Company (Mertz) to appeal an April 16, 2009, determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2006); 35 Ill. Adm. Code 105.406. The determination concerns Mertz's underground storage tank (UST) site at 4 East Washington, Millstadt, Illinois 62260, in Saint Clair County. The Agency issued a voucher to Mertz for \$36,325.50, in response to Mertz's application for \$434, 045.50 in payment from the Underground Storage Tank Fund for the above-referenced Leaking UST incident. Pursuant to 35 Ill. Adm. Code 734.630(c), the Agency denied approval for \$397,720.00 in requested remediation and disposal costs and demolition costs, finding the costs ineligible for payment from the Fund due to a lack of supporting documentation in Mertz's application regarding Mertz's UST site. Because Mertz failed to timely file an appeal, the Board dismisses this case and closes the docket.

IT IS SO ORDERED.

I, John Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 3, 2009, by a vote of 4-0.



John Therriault, Assistant Clerk
Illinois Pollution Control Board