

ILLINOIS POLLUTION CONTROL BOARD
June 21, 2018

TED'S STATE LINE,)
)
Petitioner,)
)
v.) PCB 18-72
) (UST Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by C.K. Zalewski):

On March 20, 2018, the Board received a letter on behalf of Ted's State Line requesting a hearing to review a February 20, 2018 determination of the Illinois Environmental Protection Agency (Agency). See 415 ILCS 5/40(a)(1) (2016); 35 Ill. Adm. Code 101.300(b), 105.402, 105.404. The Agency's determination concerns Ted's State Line's leaking underground storage tank (UST) site located at 284 Main Street in Antioch, Lake County.

On April 12, 2018, the Board entered an order accepting the petition as timely filed, but identifying deficiencies. Ted's State Line v. IEPA, PCB 18-72, slip op. at 1 (Apr. 12, 2018). The Board directed Ted's State Line to file an amended petition by May 14, 2018. *Id.* The Board received a letter from Ted's State Line on May 22, 2018; the letter was postmarked May 19, 2018. The letter included a \$75 filing fee, curing one of three deficiencies stated in the April 12 order. The Board accepted the amended petition on May 24, 2018, but directed Ted's State Line to file a second amended petition that cures three deficiencies: (1) a licensed attorney must file an appearance on behalf of Ted's State Lines; (2) the second amended petition must clarify the basis for the appeal and be filed by an attorney; and (3) file proof of service of the second amended petition on the Agency. Ted's State Line v. IEPA, PCB 18-72, slip op. at 1-2 (May 24, 2018).

Because Ted's State Line failed to timely file a second amended petition complying with the Board's May 24 order, the Board dismisses the case and closes the docket.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 21, 2018, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board