

ILLINOIS POLLUTION CONTROL BOARD  
September 1, 1994

J. R. MEYERS COMPANY, INC.,            )  
  )  
          Petitioner,                    )  
  )  
          v.                                )           PCB 94-236  
  )           (UST Fund)  
ILLINOIS ENVIRONMENTAL                )  
PROTECTION AGENCY,                    )  
  )  
          Respondent.                    )

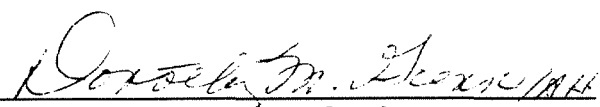
ORDER OF THE BOARD (by E. Dunham):

On August 30, 1994, J. R. Meyers filed a petition to contest the disallowing of certain costs incurred in the removal of underground storage tanks by the Illinois Environmental Protection Agency. The Board notes that the petition lacks sufficient information to determine if the petition has been filed pursuant to Section 40 of the Illinois Environmental Protection Act ("Act"). Further, the petition does not include proof that the Agency was served with the petition.

The Board directs the petitioner to file an amended petition to correct these deficiencies. A copy of the check issued to J. R. Meyers should be provided with the petition. A proof of service should also be included with the petition pursuant to 35 Ill. Adm. Code 101.143. Unless an amended petition is filed within 35 days of the date to this order, curing the above-noted defect(s), this matter will be subject to dismissal. The Board notes that for purposes of calculation of a decision deadline pursuant to Section 40 of the Act, the filing of an amended petition will restart the calculation of the Board's 120-day deadline.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 1st day of September, 1994, by a vote of 6-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board