## ILLINOIS POLLUTION CONTROL BOARD December 2, 1993

CITY OF ELGIN, a municipal ) corporation, )	
Petitioner, )	
v. )	PCB 93-246 (UST FUND)
ILLINOIS ENVIRONMENTAL ) PROTECTION AGENCY, )	(001 101.0)
Respondent. )	

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

On December 1, 1993, the City of Elgin 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.

it would be very helpful if the amended petition contained a copy of the letter denying reimbursement for the disputed costs. Unless an amended petition is filed within 45 days of the date of 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, hereby certify that the above order was adopted on the day of \_\_\_\_\_\_\_\_, 1993, by a vote of \_\_\_\_\_\_\_.

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board