

ILLINOIS POLLUTION CONTROL BOARD
December 3, 1992

RYDER TRUCK RENTAL, INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 92-194
	)	(Underground Storage Tank
ILLINOIS ENVIRONMENTAL	)	Reimbursement)
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by M. Nardulli):

On December 2, 1992, the Board received a petition for review from petitioner Ryder Truck Rental, Inc. (Ryder) seeking review of respondent Illinois Environmental Protection Agency's (Agency) decision denying reimbursement from the Underground Storage Tank Fund. Section 40(a)(1) of the Environmental Protection Act and 35 Ill. Adm. Code 105.102(a)(2) require that a petition for review be filed with the Board within 35 days of the date of the Agency's denial letter. Here, Ryder has failed to attach the Agency's letter to its petition so that the Board is unable to determine of this appeal is timely.¹ Ryder must provide the Board with a copy of the Agency's denial letter. Additionally, Ryder's filing fails to include: (1) a proof of service indicating that its petition was served upon the Agency (35 Ill. Adm. Code 101.143); (2) the name, address; and telephone number of the person appearing on behalf of Ryder (35 Ill. Adm. Code 101.103(g)) and (3) the location of the facility, including the county (35 Ill. Adm. Code 105.102(a)(2)(B)). Ryder is directed to file the information listed above with the Board within 21 days of the date of this order. Provided that the initial petition received December 2, 1992 was timely filed, the filing of this additional information will be construed by the Board as an amended petition restarting the time clock for the Board's decision deadline.

IT IS SO ORDERED.

¹ Although Ryder states that it received the Agency's letter on October 28, 1992, Ryder also recognizes that the 35 day time period begins to run from the date the Agency's letter is mailed. (35 Ill. Adm. Code 105.102(a)(2).)

0137-0593

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 3rd day of December, 1992 by a vote of 7-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board