

ILLINOIS POLLUTION CONTROL BOARD

August 9, 2001

J.R. & SONS, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 01-130
)	(UST - FRD)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

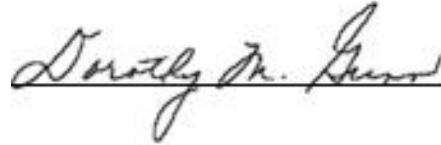
ORDER OF THE BOARD (by S.T. Lawton, Jr.):

On July 6, 2001, J.R. & Sons, Inc. filed with the Board a petition for review of an underground storage tank reimbursement denial by the Illinois Environmental Protection Agency. The Board's procedural rules incorporate the requirement under Section 1 of the Illinois Attorney Act (705 ILCS 205/1 (2000)) and Section 1 of the Corporation Practice of Law Prohibition Act (705 ILCS 220/1 (2000)), that anyone other than an individual "must appear through an attorney-at-law licensed and registered to practice law." 35 Ill. Adm. Code 101.400(a)(2). The petition does not identify Carlson as an attorney. The certificate of service accompanying the petition only states that Carlson is with J.R. & Sons, Inc. The Board accordingly believes that Carlson, who does not appear to be an attorney, is representing J.R. & Sons, Inc. in violation of Section 101.400(a)(2) of the Board's procedural rules. 35 Ill. Adm. Code 101.400(a)(2).

Since the November 3, 2001 statutory deadline in this case is rapidly approaching, the Board orders J.R. & Sons to retain counsel in accordance with the Board's procedural rules within 14 days of the date of this order. If J.R. & Sons chooses to waive the statutory deadline within 14 days from the date of this order, it may file a request with the hearing officer to extend the 14-day deadline to retain an attorney. The Board will dismiss this matter if J.R. & Sons does not file an amended petition on or before August 23, 2001, or by a date extended by the hearing officer.

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 9th day of August 2001 by a vote of 6-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control