

ILLINOIS POLLUTION CONTROL BOARD
August 18, 2005

DIMUCCI DEVELOPMENT CORPORATION,)	
)	
Petitioner,)	
)	
v.)	PCB 04-209
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by A.S. Moore):

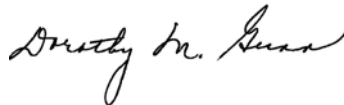
On July 28, 2005, Jeep & Blazer, LLC filed a motion to withdraw as legal counsel for petitioner DiMucci Development Corporation (DiMucci) in this Underground Storage Tank (UST) appeal. DiMucci appealed an April 15, 2004 determination of the Illinois Environmental Protection Agency (Agency). The Agency's determination concerns DiMucci's UST site at the northeast corner of South Cicero Avenue and 31st Street in Cicero, Cook County.

Jeep & Blazer, LLC represents that it and DiMucci are "unable to work together" and further that they "agree that the best interests of the client would be served by counsel's withdrawal." Motion at 1. The Agency did not respond to the motion and therefore waives any objection to it being granted. *See* 35 Ill. Adm. Code 101.500(d).

The Board grants the motion of Jeep & Blazer, LLC to withdraw as counsel for DiMucci. The Board notes that under its procedural rules, DiMucci must be represented in this appeal by a licensed attorney. *See* 35 Ill. Adm. Code 101.400(a). The statutory deadline for the Board to decide this case is currently December 13, 2005. To avoid undue delay, the Board directs DiMucci to have an attorney file an appearance on its behalf within 30 days from the date of this order. Failure to do so will subject this appeal to dismissal.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on August 18, 2005, by a vote of 4-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board