

ILLINOIS POLLUTION CONTROL BOARD
October 17, 2002

RANTOUL TOWNSHIP HIGH SCHOOL)	
DISTRICT NO. 193,)	
)	
Petitioner,)	
)	
v.)	PCB 03-42
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by C.A. Manning):

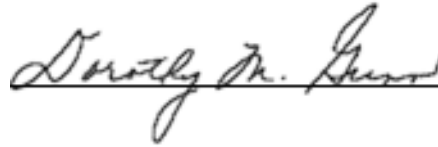
On October 7, 2002, Rantoul Township High School District No. 193 (District) timely filed a petition asking the Board to review a September 5, 2002 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2000); 35 Ill. Adm. Code 105.404. The Agency rejected the budget for the high priority corrective action plan regarding an underground storage tank site located at 200 S. Sheldon Street in Rantoul, Champaign County. The District disputes the Agency determination regarding lack of documentation concerning costs for specified personnel, relocation of underground utilities, removal of migration pathways, bid proposals, and handling charges, and contends that all costs were necessary and required. The District's petition meets the content requirements of 35 Ill. Adm. Code 105.408. The Board accepts the petition for hearing.

The District has the burden of proof. 35 Ill. Adm. Code 105.112(a). Hearings will be based exclusively on the record before the Agency at the time the Agency issued its determination. 35 Ill. Adm. Code 105.412. Hearings will be scheduled and completed in a timely manner, consistent with the decision deadline (*see* 415 ILCS 5/40(a)(2) (2000)), which only the District may extend by waiver (*see* 35 Ill. Adm. Code 101.308). If the Board fails to take final action by the decision deadline, the District may deem its request granted. *See* 415 ILCS 5/40(a)(2) (2000). Currently, the decision deadline is February 9, 2003 (the 120th day after October 7, 2002). *See* 35 Ill. Adm. Code 105.114. The Board meeting immediately before the decision deadline is scheduled for February 6, 2003.

Unless the Board or the hearing officer orders otherwise, the Agency must file the entire record of its determination by November 7, 2002. 35 Ill. Adm. Code 105.410(a). If the Agency wishes to seek additional time to file the record, it must file a request for extension before the date on which the record is due to be filed. 35 Ill. Adm. Code 105.116. The record must comply with the content requirements of 35 Ill. Adm. Code 105.410(b).

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on October 17, 2002, 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 Board