

ILLINOIS POLLUTION CONTROL BOARD  
January 6, 2005

HAROLD HART SERVICE,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 05-61
	)	(UST Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

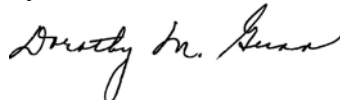
ORDER OF THE BOARD (by J.P. Novak):

On October 7, 2004, the Board, at the parties' request, extended until December 27, 2004, the time period within which Harold Hart Service may appeal an August 19, 2004 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.406. On December 30, 2004, the Board received a document from Harold entitled "Notice of Appeal," postmarked December 27, 2004. On January 3, 2005, Harold Hart Service submitted the statutory filing fee with a postmark date of December 30, 2004. *See* 415 ILCS 7.5 (2002); 35 Ill. Adm. Code 101.302(e)(3). The Agency denied petitioner's request for reimbursement from the UST Fund of certain costs for corrective action for Harold Hart Service's leaking underground petroleum storage tank facility located at 2605 College Avenue, Alton, Madison County.

The Board accepts the December 27, 2004 document as a timely filed petition for review, pursuant to 35 Ill. Adm. Code 105.404. The postmark date of the petition is within the extended time for filing. 35 Ill. Adm. Code 101.300(b)(2), 105.404. However, the Board finds that the petition does not specify the grounds for appeal, as required by 35 Ill. Adm. Code 105.408(b) and (c). The Board directs Harold Hart Service to amend its petition for review to include its grounds for appeal within 30 days from the date of this order, or the Board will dismiss this matter.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 6, 2005, by a vote of 5-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board