

ILLINOIS POLLUTION CONTROL BOARD
April 21, 2005

HARVEY WHITTAKER,)	
)	
Petitioner,)	
)	
v.)	PCB 05-184
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

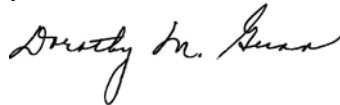
ORDER OF THE BOARD (by J.P. Novak):

On April 8, 2005, Harvey Whittaker filed a petition asking the Board to review a March 2, 2005 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2002); 35 Ill. Adm. Code 105.402. The Agency rejected a high priority corrective action plan budget regarding Harvey Whittaker's underground storage tank site located at the corner of Federal and Main, in Perry, Pike County. Harvey Whittaker appeals on the grounds that the costs in the budget submitted to the Agency were reasonable and necessary to complete the corrective action, and that the Agency's failure to review those costs violated Section 47(a) of the Environmental Protection Act. 415 ILCS 5/47(a) (2002).

The Board cannot accept this matter as timely filed, pursuant to 35 Ill. Adm. Code 105.404, because the petition does not specify the date of service of the Agency's final decision, as required by 35 Ill. Adm. Code 105.408(b). The Board directs Harvey Whittaker to amend its petition for review to include this information 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 April 21, 2005, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board