

ILLINOIS POLLUTION CONTROL BOARD
April 9, 1992

ISRAEL-GERROLD'S, an Illinois
general partnership, FIRST ILLINOIS
BANK AND TRUST f/k/a LAGRANGE
STATE BANK, as Trustee under Trust
No. 1130, and LEARSI AND CO., INC.,
an Illinois corporation,

Petitioners,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

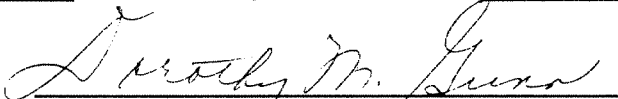
PCB 91-108
(Underground
Storage Tank Fund)

ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on petitioners' March 26, 1992 motion to dismiss its appeal without prejudice. The appeal is dismissed. Ordinarily, a voluntary dismissal of an appeal would bar petitioners' right to further challenge the subject of that appeal. However, this case is governed by the Board's decision in Ideal Heating Company v. Illinois Environmental Protection Agency (January 23, 1992), PCB 91-253. Any further appeal of the issues in this case must be pursuant to Ideal Heating.¹

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 April, 1992, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

¹ The Board notes that, unlike the petitioner in Ideal Heating, petitioners in this case must pay a filing fee if they choose to challenge any subsequent Agency decision in this case.