

ILLINOIS POLLUTION CONTROL BOARD

July 21, 2004

ESG WATTS, INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 06-06
	)	(Permit Appeal - Land)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by G.T. Girard):

On July 7, 2005, the Board received a petition for review (Pet.) filed by ESG Watts, Inc. (petitioner)<sup>1</sup>. The petition indicates that petitioner is seeking review of a decision by the Illinois Environmental Protection Agency (Agency) dated May 26, 2005. The Agency issued a supplemental permit but denied approval of aspects of petitioner's closure plan for the facility known as Taylor Ridge located in Rock Island County. Pet. at 1.

The petition indicates that the Agency's decision was "received on or about May 31, 2005" by petitioner. Pet. at 1. The petition further indicates that the reasons for denial of approval are not supported by the record, are not authorized by law, and "are designed to harass and intentionally harm ESG [petitioner] for discriminatory reasons." *Id.* The petitioner reserves the right to present additional grounds for reversal of the Agency's decision. *Id.*

The Board's procedural rules require that a petition for appeal of an Agency permit decision include a \$75 filing fee (35 Ill. Adm. Code 101.302(e)(3) and:

- a) The Agency's final decision or issued permit;
- b) A statement specifying the date of issuance or service of the Agency's final decision or issued permit . . . ;
- c) A statement specifying the grounds of appeal.

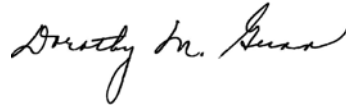
Petitioner's petition includes a copy of the Agency's denial letter; however, the petition lacks specificity concerning the date of service of the final decision and the grounds of appeal. Therefore, the Board directs the petitioner to file an amended petition within 30 days of the date of this order specifying when the final decision was served on petitioner and specifying the grounds for appeal. The amended petition will restart the decision deadline.

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<sup>1</sup> The Board received the filing fee of \$75 on July 12, 2005.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on July 21, 2005, by a vote of 5-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board