

ILLINOIS POLLUTION CONTROL BOARD  
May 3, 2001

W.K. DEVELOPERS,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 01-145
	)	(UST - Appeal)
OFFICE OF THE STATE FIRE MARSHAL,	)	
	)	
Respondent.	)	

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

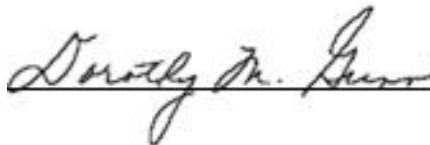
On April 23, 2001, W.K. Developers (Developers) filed a letter appealing an Office of the State Fire Marshal (OSFM) deductible determination of unspecified date regarding Developers' underground storage tank (UST).

While the Board will construe this letter as a petition for review, it fails to satisfy most of the information, filing, and service requirements of Part 105 of the Board's procedural rules. This petition is deficient in at least five respects. The petitioner failed to include proof of service of the petition for review on the respondent and notice of filing. See 35 Ill. Adm. Code 105.504(c). Next, Developers failed to include a copy of the OSFM's Eligibility and Deductibility Final Determination letter; without it, the Board cannot even determine whether the petition was timely filed. See 35 Ill. Adm. Code 105.506(a). Developers failed to file an appearance. See 35 Ill. Adm. Code 105.506(e). Developers only filed one copy of the petition. See 35 Ill. Adm. Code 101.302(h).

Accordingly, the petitioner must file an amended petition. If an amended petition curing these deficiencies is not filed within 35 days of the date of this order, that is on or before June 7, 2001, this matter will be subject to dismissal.

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 3rd day of May 2001 by a vote of 7-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board