

ILLINOIS POLLUTION CONTROL BOARD
September 20, 2018

JOHN D. WARSAW,)
)
 Petitioner,)
)
 v.) PCB 18-83
) (UST Appeal)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by U. Choe):

On June 26, 2018, John D. Warsaw (Warsaw) timely filed a petition (Pet.) asking the Board to review a June 12, 2018 determination of the Illinois Environmental Protection Agency (Agency). *See* 415 ILCS 5/40(a)(1) (2016); 35 Ill. Adm. Code 101.300(b), 105.402, 105.404. The Board accepted the petition for hearing on July 26, 2018.

Petitions appealing Agency determinations must satisfy the Board's service requirements. 35 Ill. Adm. Code 101.304(b); *see* 35 Ill. Adm. Code 105.106. Warsaw's petition, though timely filed, did not include the required documentation of service on the Agency. *See* 35 Ill. Adm. Code 101.304(d).

On its own motion, the Board directs Warsaw to file an amended petition with the required documentation of service no later than October 19, 2018, or face dismissal of this appeal.

The Board notes that Warsaw filed an open waiver of the Board's decision deadline on July 30, 2018. The Board accepts the waiver and will not reset the deadline upon filing of the amended petition.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 20, 2018, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board