

ILLINOIS POLLUTION CONTROL BOARD
April 30, 1987

PIKE COUNTY SAND AND GRAVEL,)
)
 Petitioner,)
)
 v.) PCB 87-50
)
 ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY)
)
 Respondent.)

ORDER OF THE BOARD (by J. Anderson):


On April 24, 1987, Petitioner filed a letter requesting a hearing concerning the Agency's March 26, 1987 denial of a permit. The Board will accept this filing as timely made, for the purposes of preserving petitioner's rights of appeal of the denial within 35 days pursuant to Section 40 of the Act.

However, this petition for review is deficient, in that it fails to specify in what respects Petitioner believes the Agency decision to be erroneous, and further fails to contain the information required by 35 Ill. Adm. Code 105.102(a)(2). If an amended petition curing these deficiencies is not filed within 30 days of the date this Order, this petition will be subject to dismissal for inadequacy.

Finally, the Board does not construe its 120 day decision timeclock as starting until the date of the filing of the amended petition, as to do otherwise would allow petitioner's omission to jeopardize the Board's ability to make a timely decision.

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 30th day of April, 1987, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board