

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS POWER RESOURCES)	
GENERATING, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB 2022-051
)	(NPDES Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	
)	

NOTICE OF FILING

To:	Division of Legal Counsel	Pollution Control Board, Attn: Clerk
	Illinois Environmental Protection Agency	60 E. Van Buren Street
	1021 North Grand Avenue East	Suite 630
	P.O. Box 19276	Chicago, Illinois 60601
	Springfield, Illinois 62794	PCB.Clerks@illinois.gov
	epa.dlc@illinois.gov	
	Carol Webb, Hearing Officer	Kevin Bonin
	Illinois Pollution Control Board	Office of the Attorney General
	1021 N. Grand Avenue East	500 South Second Street
	P.O. Box 19274	Springfield, IL 62076
	Springfield, Illinois 62794	Kevin.Bonin@ilag.gov
	Carol.Webb@illinois.gov	

PLEASE TAKE NOTICE that today I have electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **PETITIONER'S MOTION FOR VOLUNTARY DISMISSAL** and a **CERTIFICATE OF SERVICE**, copies are which are herewith served upon you.

Respectfully submitted,
Illinois Power Resources Generating, LLC

Dated: December 6, 2023

/s/ Sarah L. Lode
One of its Attorneys

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*Attorneys for Illinois Power Resources
Generating, LLC*

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PETITIONER’S MOTION FOR VOLUNTARY DISMISSAL

Petitioner, by and through its attorneys, ArentFox Schiff LLP, and pursuant to 35 Ill. Admin. Code § 101.500, hereby moves to dismiss the above-captioned permit appeal. Since the filing of this permit appeal, the Illinois Environmental Protection Agency has issued Modified NPDES Permit No. IL0055620 (Nov. 8, 2023) (the “Modified Permit”). Petitioner believes the Modified Permit reasonably resolves all disputed issues in this appeal. Therefore, Petitioner respectfully requests that the Board dismiss the above-captioned permit appeal with prejudice. Petitioner further requests that the Board order each party to bear its own costs and fees for this permit appeal. Petitioner’s counsel contacted counsel for Respondent who stated he had no objection to this motion.

Respectfully submitted,

Illinois Power Resources Generating, LLC

Dated: December 6, 2023

/s/ Daniel J. Deeb
One of its Attorneys

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*Attorneys for Illinois Power Resources
Generating, LLC*

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 6th day of December, I have served electronically the attached **Petitioner's Motion for Voluntary Dismissal**, upon the following persons by e-mail at the email addresses indicated below:

Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794
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Pollution Control Board, Attn: Clerk
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Kevin Bonin
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500 South Second Street
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My e-mail address is Sarah.Lode@afslaw.com.

The number of pages in the e-mail transmission is 5.

The e-mail transmission took place before 5:00 p.m.

 /s/ Sarah L. Lode

Sarah L. Lode

Dated: December 5, 2023

Daniel J. Deeb
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