

**BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS**

WOODWORTH & SONS, INC,	)	
<i>Petitioner,</i>	)	
	)	
v.	)	PCB No. 09-04
	)	(LUST Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
<i>Respondent.</i>	)	

**PETITIONER'S MOTION TO DISMISS THE APPEAL**

Pursuant to Board Rule 105.108(e), 35 ILL. ADM. CODE § 105.108(e), petitioner Woodworth & Sons, Inc. ("Woodworth"), by its attorneys in this regard, The Sharp Law Firm, P.C., moves for dismissal of the above-captioned appeal.

In support, Woodworth states that the issues raised in this appeal have been resolved by a decision on a subsequent request for reimbursement of corrective action costs approved on September 4, 2008, which constitutes other grounds that bar the petitioner from proceeding under Rule 105.108(e).

September 15, 2008

WOODWORTH & SONS, INC.

By:   
One of its Attorneys

John T. Hundley  
Mandy L. Combs  
THE SHARP LAW FIRM, P.C.  
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*Counsel for Petitioner Woodworth & Sons, Inc.*

**CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that I served the foregoing document upon all persons entitled to same by causing copies to be deposited in the United States Post Office mailbox at 14th and Main Streets, Mt. Vernon, IL, before 6:00 p.m. this date, in envelopes with proper first- class postage affixed, addressed as follows:

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

James G. Richardson, Esq.  
Illinois Environmental Protection Agency  
1021 N. Grand Ave. East  
Springfield, IL 62702

Hon. Carol Webb  
Illinois Pollution Control Board  
1021 N. Grand Ave. East  
P.O. Box 19274  
Springfield, IL 62794

September 15, 2008

  
Mandy L. Combs

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