

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
vs.)
THEODORE and ELIZABETH)
HOLLEMBEAK and HOLLEMBEAK)
CONCRETE, INC.,)
)
Respondents.)

RECEIVED
CLERK'S OFFICE

JAN 23 2009

STATE OF ILLINOIS
Pollution Control Board

AC 09-2
(Administrative Citation)

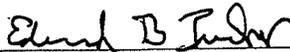
MOTION TO DISMISS

Now comes the undersigned Theodore Hollembeak, Elizabeth Hollembeak, and Hollembeak Concrete, Inc. by Theodore Hollembeak Corporation through their Attorney Edward B Tucker and moves to dismiss the Petition filed by the Respondent Theodore Hollembeak, Elizabeth Hollembeak, and Hollembeak Concrete, Inc. for a hearing and states as follows:

That since the filing of the original Petition by Theodore Hollembeak, Elizabeth Hollembeak, and Hollembeak Concrete, Inc., a decision was made by the parties to pay the fines as imposed by the Illinois Environmental Protection Agency and to request dismissal of their petition for hearing.

Wherefore the undersigned, hereby request dismissal of the Petition filed by Theodore Hollembeak, Elizabeth Hollembeak, and Hollembeak Concrete, Inc. for a hearing on the Petition for review as previously filed.

Dated this 18 day of December, 2008.

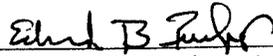


Edward B Tucker, Attorney
for Theodore Hollembeak,
Elizabeth Hollembeak,
and Hollembeak Concrete, Inc.

NOTICE OF FILING

I the undersigned Attorney state the copies of the Motion were filed with the Hearing Officer of the ILLINOIS POLLUTION CONTROL BOARD 1021 N GRAND AVE. EAST, P.O. BOX 1974, SPRINGFIELD, IL 62794-9274 and then a copy thereof was mailed to Michael M. Ryan IEPA 1021 N GRAND AVE. EAST, P.O. 19276, SPRINGFIELD, IL 62794-9276 with postage prepaid on the date hereinafter written.

Dated this 18 day of December, 2008 .



Edward B Tucker, Attorney
for Theodore Hollembeak,
Elizabeth Hollembeak,
and Hollembeak Concrete, Inc.