

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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NOV 24 2009

STATE OF ILLINOIS
Pollution Control Board

WASTE MANAGEMENT OF
ILLINOIS, INC.,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

No. PCB 08-101
(NPDES Permit Appeal)

NOTICE OF MOTION

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 N. Grand Ave. East
P.O. Box 19274
Springfield, IL 62794-9274

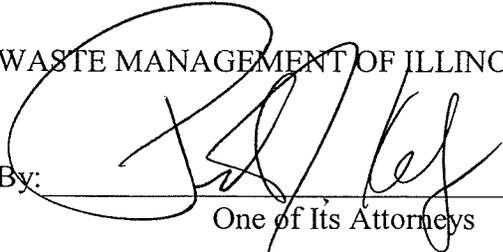
Jason R. Boltz
Illinois Environmental Protection Agency
1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9276

Thomas Davis
Office of the Attorney General
Environmental Bureau
500 South Second Street
Springfield, IL 62706

PLEASE TAKE NOTICE that on November 24, 2009, we filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **PETITIONER'S MOTION TO VOLUNTARILY WITHDRAW ITS PETITION FOR HEARING TO REVIEW NPDES PERMIT**, a copy of which is served upon you.

Dated: November 24, 2009

WASTE MANAGEMENT OF ILLINOIS, INC.,

By: 

One of Its Attorneys

Peter J. Kelly
Vedder Price P.C.
222 North LaSalle Street, Suite 2600
Chicago, IL 60601-1003
(312) 609-7500

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**PETITIONER'S MOTION TO VOLUNTARILY WITHDRAW
ITS PETITION FOR HEARING TO REVIEW NPDES PERMIT**

NOW COMES Petitioner, Waste Management of Illinois, Inc. ("WMIL"), by and through its attorneys, Peter J. Kelly and Vedder Price P.C., and pursuant to 35 Ill. Admin. Code 101.500, states as follows:

1. On July 28, 2008, WMIL filed a petition for a hearing (the "Petition") to review certain provisions of NPDES permit No. IL0075523, issued to WMIL's Chain of Rocks Recycling and Disposal Facility on May 22, 2008 (the "Permit").
2. On November 5, 2009, the Illinois Environmental Protection Agency ("IEPA") issued a Modified NPDES Permit to the Chain of Rocks Facility.
3. The Permit reflects the WMIL requested modifications to the Permit.
4. Based on these facts and circumstances, WMIL has determined that it is appropriate to withdraw the Petition.

WHEREFORE, for all the foregoing reasons, WMIL respectfully requests that the Board grant its Motion to Withdraw its Petition for Hearing to Review the Permit and to enter an Order

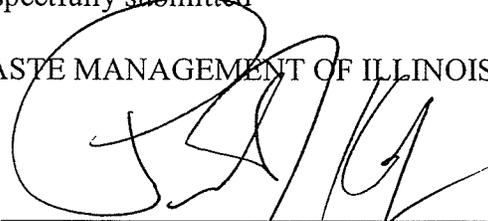
to dismiss the Petition with prejudice.

Dated: November 24, 2009

Respectfully submitted

WASTE MANAGEMENT OF ILLINOIS, INC.,

By:



One of Its Attorneys

Peter J. Kelly
Vedder Price P.C.
222 North LaSalle Street
Suite 2600
Chicago, IL 60601-1003
(312) 609-7500

CERTIFICATE OF SERVICE

The undersigned certifies that true and correct copies of the foregoing **PETITIONER'S MOTION TO VOLUNTARILY WITHDRAW ITS PETITION FOR HEARING TO REVIEW NPDES PERMIT** were served on

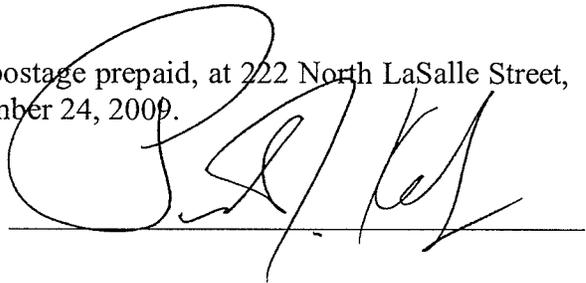
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by depositing the same in the U.S. mail, first-class postage prepaid, at 222 North LaSalle Street, Chicago, Illinois 60601-1003 by 5:00 p.m. on November 24, 2009.



A handwritten signature in black ink, appearing to read 'T. Davis', is written over a horizontal line.