

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IPH, LLC and)	
ILLINOIS POWER RESOURCES)	
GENERATING, LLC)	
(E.D. EDWARDS POWER PLANT),)	
)	
Petitioners,)	
)	
v.)	
)	PCB 15-202
ILLINOIS ENVIRONMENTAL PROTECTION)	(NPDES Permit Appeal)
AGENCY)	
)	
)	
Respondent.)	

NOTICE OF FILING

To: ALL PARTIES ON THE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that today I have electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **VOLUNTARY MOTION TO DISMISS** copies of which are herewith served upon you.

Respectfully submitted,

/s/ Joshua More

Joshua R. More
Amy Antonioli
SCHIFF HARDIN, LLP
233 South Wacker Drive, Suite 6600
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Dated: September 23, 2015

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IPH, LLC and)	
ILLINOIS POWER RESOURCES)	
GENERATING, LLC)	
(E.D. EDWARDS POWER PLANT),)	
)	
Petitioners,)	
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v.)	
)	PCB 15-202
ILLINOIS ENVIRONMENTAL PROTECTION)	(NPDES Permit Appeal)
AGENCY)	
)	
)	
Respondent.)	

VOLUNTARY MOTION TO DISMISS

NOW COMES Petitioners, IPH, LLC and Illinois Power Resources Generating, LLC, by its undersigned attorney pursuant to Section 101.500 of the Illinois Pollution Control Board's (Board's) procedural rules (35 Ill. Adm. Code 101.500) and asks the Board to dismiss this National Pollutant Discharge Elimination System (NPDES) permit appeal, stating as follows:

1. On May 27, 2015, Petitioners filed their Petition for Review of IEPA NPDES Permit Decision and Motion for Partial Stay with the Board seeking review of certain conditions of NPDES Permit IL0001970, issued to Petitioners by IEPA on April 22, 2015.
2. The Board stayed the effectiveness of the contested conditions of the NPDES Permit pending the final resolution of the appeal.
3. On August 28, 2015, IEPA issued a modified version of the NPDES Permit, pursuant to agreement of the parties that addressed the issues raised in the appeal.

WHEREFORE, Petitioners respectfully request that the Board dismiss this matter and close the docket.

IPH, LLC and Illinois Power Resources
Generating, LLC

Respectfully submitted,

/s/ Joshua More

Joshua R. More

Dated: September 23, 2015

Joshua R. More
SCHIFF HARDIN, LLP
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CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 23rd day of September, 2015:

I have electronically served a true and correct copy of the attached **VOLUNTARY MOTION TO DISMISS**, on behalf of IPH, LLC and Illinois Power Resources Generating, LLC, upon the following Mr. John Therriault, Clerk of the Illinois Pollution Control Board at the email address of John.therriault@illinois.gov;

My e-mail address is aantonioli@schiffhardin.com;

The number of pages in the e-mail transmission is 4.

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

I further certify that I have served a true and correct copy of the attached **VOLUNTARY MOTION TO DISMISS**, on behalf of IPH, LLC and Illinois Power Resources Generating, LLC, by first class mail, postage affixed, upon:

Jane McBride
Scott Marsik
Division Chief of Environmental Enforcement
Office of the Attorney General
100 West Randolph St., Suite 1200
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Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
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/s/ Joshua More

Joshua More

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