

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KINCAID GENERATION, L.L.C.,)	
)	
Petitioner)	
)	
v.)	
)	PCB 15-203
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/ Amy Antonioli

Joshua R. More
Amy Antonioli
SCHIFF HARDIN, LLP
233 South Wacker Drive, Suite 6600
Chicago, Illinois 60606
312-258-5500
aantonioli@schiffhardin.com

Dated: August 2, 2016

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

KINCAID GENERATION, L.L.C.,)	
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Petitioner)	
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AGENCY)	
)	
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Respondent.)	

VOLUNTARY MOTION TO DISMISS

Petitioner Kincaid Generation, L.L.C. (“Kincaid”), by and through its attorneys, SCHIFF HARDIN LLP, pursuant to 35 Ill. Adm. Code 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 June 5, 2015 Petitioner filed a petition for review of NPDES Permit No. IL0002241 (NPDES Permit), dated April 30, 2015, for the Kincaid Generating Station, challenging certain conditions of the permit.
2. The Board stayed the effectiveness of the contested conditions of the NPDES Permit pending the final resolution of the appeal.
3. On July 13, 2016, IEPA issued a modified version of the NPDES Permit, pursuant to agreement of the parties that addressed the issues raised in the appeal.

WHEREFORE, Petitioner Kinkaid respectfully requests that the Illinois Pollution Control Board dismiss this matter and close the docket.

KINCAID GENERATION, L.L.C.

Respectfully submitted,

/s/ Amy Antonioli

Amy Antonioli

Dated: August 2, 2016

Joshua R. More
Amy Antonioli
SCHIFF HARDIN, LLP
233 South Wacker Drive, Suite 6600
Chicago, Illinois 60606
312-258-5500
jmore@schiffhardin.com
aantonioli@schiffhardin.com

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 2nd day of August, 2016 have electronically served a true and correct copy of the attached **VOLUNTARY MOTION TO DISMISS**, on behalf of Kinkaid Generation, L.L.C., upon the following persons:

Mr. John T. Therriault, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
john.therriault@illinois.gov

Mr. Brad Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
brad.halloran@illinois.gov

My e-mail address is aantoniolli@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 Kinkaid Generation, L.L.C., 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
Chicago, IL 60601

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

/s/ Amy Antonioli

Amy Antonioli

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SCHIFF HARDIN LLP
233 South Wacker Drive, Suite 6600
Chicago, Illinois 60606
312-258-5500