

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BLAKE LEASING COMPANY, LLC—REAL)	
ESTATES SERIES, as owner of KIRKLAND)	
QUICK STOP,)	
)	
Petitioner,)	
)	
v.)	PCB 2018-26
)	(Water Well Setback Exception)
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY, VILLAGE OF KIRKLAND,)	
ILLINOIS, and SOO LINE RAIL ROAD)	
COMPANY (d/b/a CANADIAN PACIFIC)	
RAILWAY and CANADIAN PACIFIC)	
)	
Respondents.)	

NOTICE OF FILING

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board ILLINOIS EPA'S RESPONSE TO PETITIONER'S MOTION TO DISMISS, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Joanne M. Olson
Joanne M. Olson
Assistant Counsel
Division of Legal Counsel

Date: _____

Joanne M. Olson #6293500
Illinois Environmental Protection Agency
Division of Legal Counsel
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BLAKE LEASING COMPANY, LLC—REAL)	
ESTATES SERIES, as owner of KIRKLAND)	
QUICK STOP,)	
)	
Petitioner,)	
)	
v.)	PCB 2016-100
)	(Water Well Setback Exception)
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY, VILLAGE OF KIRKLAND,)	
ILLINOIS, and SOO LINE RAIL ROAD)	
COMPANY (d/b/a CANADIAN PACIFIC)	
RAILWAY and CANADIAN PACIFIC)	
)	
Respondents.)	

ILLINOIS EPA’S RESPONSE TO PETITIONER’S MOTION TO DISMISS

NOW COMES the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, ("Illinois EPA" or "Agency") by and through its counsel, and pursuant to Section 101.500(d) of the Illinois Pollution Control Board’s (“Board”) procedural rules, submits the following response in the above captioned matter.

- 1) On November 7, 2017, Blake Leasing Company, LLC filed its petition for a water well setback exemption pursuant to 415 ILCS 5/14.2(c)
- 2) Petitioner filed a motion to dismiss this matter on August 10, 2018.
- 3) Illinois EPA has no objection to Petitioner’s motion to dismiss.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/Joanne M. Olson
Joanne M. Olson
Assistant Counsel

Division of Legal Counsel

Joanne M. Olson #6293500
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CERTIFICATE OF SERVICE

Joanne M. Olson, Assistant Counsel for the Illinois EPA, herein certifies that she has served a copy of the foregoing NOTICE OF FILING and ILLINOIS EPA'S RESPONSE TO PETITIONER'S MOTION TO DISMISS upon

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by placing a true copy in an envelope duly addressed bearing proper first class postage in the United States mail at Springfield, Illinois on August 22, 2018 or by sending an email from my email account (joanne.olson@illinois.gov) to the email addresses designated above with the following attached as a 4 page PDF document in an e-mail transmission on or before 5:00 pm on August 22, 2018.

/s/Joanne M. Olson
Joanne M. Olson