

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

WEBB & SONS, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 17-65
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Mr. Don Brown	Carol Webb, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	1021 North Grand Avenue East
Suite 11-500	Post Office Box 19274
Chicago, Illinois 60601	Springfield, Illinois 62794-9274
(VIA ELECTRONIC MAIL)	(VIA ELECTRONIC MAIL)

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the **MOTION TO DISMISS**, a copy of which is hereby served upon you.

Respectfully submitted,

WEBB & SONS, INC.

Dated: December 20, 2018

By: s/ Jennifer M. Martin
One of Its Attorneys

Jennifer M. Martin
HEPLERBROOM, LLC
4340 Acer Grove Drive
Springfield, Illinois 62711
Jennifer.Martin@heplerbroom.com
(217) 528-3674

CERTIFICATE OF SERVICE

I, Jennifer M. Martin, the undersigned, on oath state the following:

That I have served the attached **MOTION TO DISMISS** via electronic mail upon:

Mr. Don Brown
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Melanie Jarvis
Environmental Protection Agency
Division of Legal Counsel
1000 Converse Ave, FL 2
Springfield, IL 62794

Toni Laros
MSA Professional Services
201 West Springfield Avenue, Suite 400
Champaign, Illinois 61820

That my email address is Jennifer.martin@heplerbroom.com.

That the number of pages in the email transmission is 3 pages.

That the email transmission took place before 5:00 p.m. on the date of December 20, 2018

/s/ Jennifer. M. Martin

Jennifer M. Martin

Date: December 20, 2018

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MOTION TO DISMISS

NOW COMES Petitioner, WEBB & SONS, INC., by and through its attorneys, and pursuant to 35 Ill. Adm. Code 101.500, asks the Board to dismiss this UST appeal with prejudice, stating as follows:

1. During the pendency of this UST appeal, the parties have been able to resolve their disagreements.
2. Accordingly, Petitioner no longer seeks to appeal the Respondent’s March 29, 2017 UST decision.

WHEREFORE, Petitioner prays for an Order from the Board dismissing this matter with prejudice and closing the docket, with each party to bear its own costs and fees.

Respectfully submitted,

WEBB & SONS, INC.
Petitioner,

Dated: December 20, 2018

By: /s/ Jennifer M. Martin
One of Its Attorneys

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