

**BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

Dixie Travel Plaza,)	
)	
Petitioner,)	
)	
vs.)	PCB No. 20-20
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	


MOTION TO VOLUNTARILY DISMISS

NOW COMES the Dixie Travel Plaza and Midwest Environmental Consulting & Remediation Services, Inc. (“Midwest”) by their attorneys, Robert M. Riffle, Esq. and Anne L. Mergen, Esq., of Riffle & Associates LLC, and as and for their Motion to Voluntarily Dismiss, state as follows:

1. In discussions between the IEPA and Midwest, the IEPA clarified that the reimbursements at issue in this Appeal, which the IEPA’s letter indicated were denied, were in fact granted and paid.
2. When Midwest filed this Appeal, it did not realize that the reimbursements at issue were later paid.
3. Midwest has reviewed its records and has confirmed that the reimbursement at issue in this case have been paid. Accordingly, this appeal should be dismissed.

WHEREFORE, Petitioner respectfully requests that this appeal be dismissed.

Respectfully submitted,
Dixie Travel Plaza, Petitioner

By: 
 Anne Mergen
 One of Their Attorneys

Riffle & Associates LLC
ROBERT M. RIFFLE, ESQ.
ANNE L. MERGEN, ESQ.
133A S. Main Street
Morton, IL 61550
(309) 321-8365
amergen@rmrenterprises.net

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 31, 2020, the foregoing document was electronically filed with the Illinois Pollution Control Board using the electronic filing system, which will send notification of such filing to the following:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street
Suite 11-500
Chicago, IL 60601

James G. Richardson
Deputy General Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
PO Box 19276
Springfield, IL 62794-9276

/s/ Anne L. Mergen_____

Riffle & Associates LLC
Robert M. Riffle, Esq.
Anne L. Mergen, Esq.
133A South Main Street
Morton, IL 61550
(309) 321-8365