

ILLINOIS POLLUTION CONTROL BOARD

EMCO CHEMICAL DISTRIBUTORS, INC.,)	
An Illinois corporation,)	
)	
Petitioner,)	
)	
v.)	PCB 23-16
)	(UST Appeal)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

Don Brown, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, IL 60601
don.brown@illinois.gov

Bradley P. Halloran, Hearing Officer
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PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing this **Notice of Filing and Motion to Voluntarily Dismiss Amended Petition for Review Without Prejudice**, copies of which are attached and herewith served upon you.

DATED: February 10, 2023

Respectfully submitted,

THOMPSON COBURN LLP

By: /s/ Ryan R. Kemper

Ryan R. Kemper, Esq.

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Attorneys for Petitioner EMCO Chemical
Distributors, Inc.

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MOTION TO VOLUNTARILY DISMISS
AMENDED PETITION FOR REVIEW
WITHOUT PREJUDICE

COMES NOW Petitioner EMCO Chemical Distributors, Inc. (“EMCO”), through its undersigned counsel, and for its Motion to Voluntarily Dismiss Amended Petition for Review Without Prejudice, states as follows:

1. On September 12, 2022, EMCO filed its Amended Petition for Review.
2. EMCO and Respondent the Illinois EPA have reached a resolution of the underlying subject-matter of this UST appeal such that continued prosecution of the appeal is no longer necessary.
3. The Illinois EPA does not oppose this motion.

WHEREFORE, EMCO respectfully requests the Board issue an order granting this motion and dismissing EMCO’s Amended Petition for Review without prejudice.

DATED: February 10, 2023

Respectfully submitted,

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Attorneys for Petitioner EMCO Chemical
Distributors, Inc.

CERTIFICATE OF SERVICE

The undersigned attorney certifies that I have served via e-mail the foregoing **Motion to Voluntarily Dismiss Amended Petition for Review Without Prejudice** upon the following

persons:

Don Brown, Clerk
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