

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NORTH PARK PUBLIC WATER)	
DISTRICT,)	
)	
Petitioner,)	PCB 22-036
)	(Permit Appeal IL2015500)
)	
v.)	
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Karen W. Howard	Clerk
Assistant Attorney General	Illinois Pollution Control Board
Environmental Bureau	100 West Randolph Street, Suite 11-500
69 W. Washington Street, 18th Floor	Chicago, Illinois 60601-3218
Chicago, IL 60602	
(312) 814-3561	Bradley Halloran, Hearing Officer
Karen.Howard@ilag.gov	Illinois Pollution Control Board
	James R. Thompson Center
	100 West Randolph Street, Suite 11-500
	Chicago, Illinois 60601
	brad.halloran@illinois.gov

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board a Motion to Voluntarily Dismiss Appeal, a copy of which is served upon you.

Dated: October 3, 2023

Respectfully submitted,
NORTH PARK PUBLIC WATER DISTRICT

By: /s/ Alexander J. Bandza
 Fredric P. Andes, Esq.
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MOTION TO VOLUNTARILY DISMISS APPEAL

NOW COMES the Petitioner, North Park Public Water District (“District”), by its attorneys, Barnes & Thornburg LLP, pursuant to 35 Ill. Admin. Code § 101.500 and files its Motion to Voluntarily Dismiss Appeal in these proceedings.

In support of this Motion to Voluntarily Dismissal Appeal, Petitioner states:

1. On July 9, 2021, the Illinois Environmental Protection Agency’s (“Illinois EPA”) provided written notice to the District of its obligations arising out of a detection of tetrachloroethylene (“PCE”) at more than half of the maximum contaminant level (“MCL”) in the District’s Well #2 (“Notice”).
2. On August 13, 2021, the District submitted its initial proposed response plan to Illinois EPA (“Initial Plan”).
3. After discussions with Illinois EPA, the District submitted its amended proposed response plan on September 22, 2021 (“Amended Plan”).
4. On or about December 14, 2021, Illinois EPA provided its written modification to the District’s Amended Plan (“Modification”).
5. The Amended Plan and the Illinois EPA’s Modification of the same wee the

subjects of this appeal.

6. Since the timely filing of this Appeal, representatives of the Petitioner and the Illinois EPA have met, both virtually and in person, several times, to discuss and resolve the issues concerning Well #2 that were previously in dispute as outlined in the Initial Plan, the Amended Plan, and the Modification.

7. The resolution of these issues has been memorialized in North Park's August 28, 2023 letter to the Illinois EPA ("2023 Plan").

8. North Park understands that once the above-captioned proceeding has been resolved, the Illinois EPA will timely issue its concurrence to the 2023 Plan.

9. For the foregoing reasons, Petition files this Motion to Voluntarily Dismiss Appeal because there are no issues remaining to be decided by the Board.

WHEREFORE the Petitioner, North Park, requests that its Motion to Voluntarily Dismiss Appeal be granted.

Dated: October 3, 2023

Respectfully submitted,

NORTH PARK PUBLIC WATER DISTRICT

By: /s/ Alexander J. Bandza

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Attorneys for North Park Public Water District

CERTIFICATE OF E-MAIL SERVICE

I, the undersigned, certify the following:

- That I have served the attached Motion to Voluntarily Dismiss Appeal by e-mail upon the Illinois Attorney General's Office, to the attention of Assistant Attorney General Karen Howard, at the e-mail address of Karen.Howard@ilag.gov.
- That I have served the attached Motion to Voluntarily Dismiss Appeal by e-mail upon the Illinois Pollution Control Board, to the attention of Hearing Officer Bradley Halloran, Hearing Officer, at the e-mail address of brad.halloran@illinois.gov.
- That my e-mail address is abandza@btlaw.com.
- That the number of pages in the e-mail transmission is 3.
- That the e-mail transmission took place before 5:00 p.m. on the date of October 3, 2023.

/s/ Alexander J. Bandza
An Attorney for North Park Public Water District