

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SOUTHWIND RAS I, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 2026 -014
	)	(Permit Appeal – Land)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

NOTICE OF FILING

TO: Mr. Don A. Brown	Brad Halloran
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630	60 E. Van Buren Street, Suite 630
Chicago, Illinois 60605	Chicago, Illinois 60605
don.brown@illinois.gov	brad.halloran@illinois.gov

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, **MOTION FOR VOLUNTARY DISMISSAL** on behalf of Southwind RAS I, LLC, copies of which are hereby served upon you.

Respectfully submitted,
SOUTHWIND RAS I, LLC
Petitioner

Dated: July 13, 2026

By: /s/ Melissa S. Brown
One of Its Attorneys

Alec Messina
Melissa S. Brown
HEPLERBROOM, LLC
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CERTIFICATE OF SERVICE*eli*

I, the undersigned, on oath state the following: That I have served the attached **MOTION FOR VOLUNTARY DISMISSAL**, via electronic mail upon:

Don Brown
Clerk of the Board
Illinois Pollution Board
60 E Van Buren Street, Suite 630
Chicago, Illinois 60605
Don.Brown@Illinois.Gov

Brad Halloran
Hearing Officer
Illinois Pollution Board
60 E Van Buren Street, Suite 630
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69 West Washington Street, Suite 1800
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That my email address is Melissa.Brown@heplerbroom.com.

That the number of pages in the email transmission is 4.

That I have sent the email transmission on July 13, 2026.

Date: July 13, 2026

/s/ Melissa S. Brown
Melissa Brown

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SOUTHWIND RAS I, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 26-14
	)	(Permit Appeal – Land)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

MOTION FOR VOLUNTARY DISMISSAL

Petitioner, SOUTHWIND RAS I, LLC (“Southwind”), by and through its attorneys, pursuant to 35 Ill. Adm. Code 101.500, hereby moves the Illinois Pollution Control Board (“Board”) to dismiss the appeal captioned above. In support of this Motion, Petitioner states as follows:

1. On August 13, 2025, Petitioner filed a Petition for Review (“Petition”) of the Illinois Environmental Protection Agency’s (“Illinois EPA”) July 9, 2025 disapproval of Petitioner’s request for a beneficial use determination (“BUD”) for Petitioner’s facility located in Romeoville, Illinois.
2. On August 21, 2025, the Board accepted Petitioner’s Petition for hearing. Board Order, *Southwind RAS I, LLC v. Illinois EPA*, PCB 26-14, (Aug. 21, 2025).
3. On August 28, 2025, Petitioner submitted an open waiver of the 120-day statutory decision deadline. Petitioner’s Open Waiver of Statutory Decision Deadline, *Southwind RAS I, LLC v. Illinois EPA*, PCB 26-14 (Aug. 28, 2025).
4. On July 7, 2026, Illinois EPA issued BUD 2026-045 to Petitioner that provides authority for Southwind to produce a blend of reclaimed asphalt shingles (“RAS”) and fractionated reclaimed asphalt pavement (“RAP”) or a blend of RAS and other crushed coarse

aggregate to be utilized as an aggregate subbase or aggregate surface on unpaved rural roadways, private pavement projects, or structure developments.

5. Petitioner no longer seeks to contest Illinois EPA's disapproval of Southwind's March 20, 2025 BUD request (BUD25-004) that is the subject of this appeal.

6. Petitioner requests that the Board dismiss this appeal and close the docket.

7. Counsel for Petitioner has conferred with counsel for Respondent, who has indicated that Respondent does not object to the granting of this Motion.

WHEREFORE, Petitioner, SOUTHWIND RAS I, LLC, respectfully requests that the Board dismiss the appeal and close the docket.

Respectfully submitted,

SOUTHWIND RAS I, LLC,
Petitioner,

Dated: July 13, 2026

By: /s/ Melissa S. Brown
One of Its Attorneys

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