

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

|                                   |   |                                   |
|-----------------------------------|---|-----------------------------------|
| AQUA ILLINOIS, INC.,              | ) |                                   |
|                                   | ) |                                   |
| Petitioner,                       | ) |                                   |
|                                   | ) | PCB 2026-054                      |
| v.                                | ) |                                   |
|                                   | ) | (Special Exception Permit Appeal) |
| ILLINOIS ENVIRONMENTAL PROTECTION | ) |                                   |
| AGENCY,                           | ) |                                   |
|                                   | ) |                                   |
| Respondent.                       | ) |                                   |

**NOTICE OF FILING**

|                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TO: Sara Terranova, Assistant Counsel<br><a href="mailto:Sara.Terranova@illinois.gov">Sara.Terranova@illinois.gov</a><br>Thomas Saviski, Assistant Counsel<br><a href="mailto:Thomas.Saviski@illinois.gov">Thomas.Saviski@illinois.gov</a><br>Illinois Environmental Protection<br>Agency<br>2520 West Iles Avenue<br>P.O. Box 19276<br>Springfield, IL 62794-9276 | Don Brown, Clerk of the Board<br>Illinois Pollution Control Board<br>60 E. Van Buren St., Suite 630<br>Chicago, Illinois 60605<br><a href="mailto:Don.Brown@illinois.gov">Don.Brown@illinois.gov</a><br><a href="mailto:PCB.Clerks@illinois.gov">PCB.Clerks@illinois.gov</a> |
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PLEASE TAKE NOTICE that today I have electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **PETITIONER'S MOTION FOR VOLUNTARY DISMISSAL** and **CERTIFICATE OF SERVICE**, copies of which are herewith served upon you.

Dated: August 14, 2026

By: /s/ Daniel J. Deeb  
Attorney for Aqua Illinois, Inc.

Daniel J. Deeb  
Alex Garel-Frantzen  
ArentFox Schiff LLP  
233 South Wacker Drive, Suite 7100  
Chicago, IL 60606  
(312) 258-5500  
[Dan.Deeb@afslaw.com](mailto:Dan.Deeb@afslaw.com)  
[Alex.Garel-Frantzen@afslaw.com](mailto:Alex.Garel-Frantzen@afslaw.com)

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| AGENCY,                           | ) |                                   |
|                                   | ) |                                   |
| Respondent.                       | ) |                                   |

**PETITIONER’S MOTION FOR VOLUNTARY DISMISSAL**

Petitioner, Aqua Illinois, Inc. (“Aqua”), by and through its undersigned attorneys, hereby moves to voluntarily dismiss its Petition for Review. In support of this Motion, Aqua states as follows:

1. On July 29, 2026, Aqua filed its Petition for Review of the Special Exception Permit (the “Permit”) issued by the Illinois Environmental Protection Agency (“IEPA” or the “Agency”) on March 26, 2026, for the Aqua Illinois – Nordic Woods public water supply system, PWS ID 1415330 (the “Nordic Woods PWS”).

2. Aqua now desires to dismiss its Petition for Review. On August 11, 2026, the Agency issued a Special Exception Permit to Aqua, the Nordic Woods PWS, modifying the challenged Chlorine and Fluoride Conditions and effectively mooted the relief sought by Aqua through this Petition for Review.

3. Section 2-1009 of the Code of Civil Procedure permits claims to be dismissed voluntarily “at any time before trial or hearing begins, upon notice to each party who has appeared or each such party’s attorney, and upon payment of costs.” 735 ILCS 5/2 1009(a).

4. No trial or hearing has begun on Aqua’s Petition for Review, and Aqua is providing proper notice of this Motion to all parties of record.

5. The Agency has represented to Aqua that it does not oppose this Motion.

WHEREFORE, Petitioner Aqua Illinois, Inc. requests the Board enter an Order dismissing the Petition for Review and grant such other and further relief as may be just and proper.

Respectfully submitted,

AQUA ILLINOIS, INC.,

Dated: August 14, 2026

By: /s/ Daniel J. Deeb  
One of its Attorneys

Daniel J. Deeb  
Alex Garel-Frantzen  
ArentFox Schiff LLP  
233 South Wacker Drive, Suite 7100  
Chicago, IL 60606  
(312) 258-5500  
[Dan.Deeb@afslaw.com](mailto:Dan.Deeb@afslaw.com)  
[Alex.Garel-Frantzen@afslaw.com](mailto:Alex.Garel-Frantzen@afslaw.com)

*Attorneys for Aqua Illinois, Inc.*

**CERTIFICATE OF SERVICE**

I, Alex Garel-Frantzen, certify that on this 14<sup>th</sup> day of August, 2026, I electronically served a true and correct copy of *Petitioner's Motion for Voluntary Dismissal* and *Certificate of Service*, together with all exhibits, by electronically filing with the Clerk of the Illinois Pollution Control Board and by e-mail upon the following persons:

Sara Terranova, Assistant Counsel  
[Sara.Terranova@illinois.gov](mailto:Sara.Terranova@illinois.gov)  
Thomas Saviski, Assistant Counsel  
[Thomas.Saviski@illinois.gov](mailto:Thomas.Saviski@illinois.gov)  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
2520 West Iles Avenue  
P.O. Box 19276  
Springfield, IL 62794-9276

Don Brown, Clerk of the Board  
Illinois Pollution Control Board  
60 E. Van Buren St., Suite 630  
Chicago, Illinois 60605  
[Don.Brown@illinois.gov](mailto:Don.Brown@illinois.gov)  
[PCB.Clerks@illinois.gov](mailto:PCB.Clerks@illinois.gov)

My e-mail address is [Alex.Garel-Frantzen@afslaw.com](mailto:Alex.Garel-Frantzen@afslaw.com).

The number of pages in the e-mail transmission is 4.

The e-mail transmission took place before 5:00 p.m.

/s/ Alex Garel-Frantzen  
Alex Garel-Frantzen

Dated: August 14, 2026

Daniel J. Deeb  
Alex Garel-Frantzen  
ARENTFOX SCHIFF LLP  
233 South Wacker Drive, Suite 7100  
Chicago, Illinois 60606  
(312) 258-5521  
[Dan.Deeb@afslaw.com](mailto:Dan.Deeb@afslaw.com)  
[Alex.Garel-Frantzen@afslaw.com](mailto:Alex.Garel-Frantzen@afslaw.com)

*Attorneys for Aqua Illinois, Inc.*