

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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CLERK'S OFFICE

AUG 13 2003

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.)
)
 C & S RECYCLING, INC., an Illinois)
 corporation, FLOOD BROTHERS)
 DISPOSAL COMPANY, INC., an)
 Illinois Corporation, WILLIAM)
 FLOOD, Individually, and as)
 treasurer of C & S Recycling,)
 and BRIAN FLOOD, Individually,)
 and as president of C & S)
 Recycling,)
)
 Respondents.)

STATE OF ILLINOIS
PCB 97 - 9 Pollution Control Board
(Enforcement - Land)

NOTICE OF FILING

TO: See Attached Service List

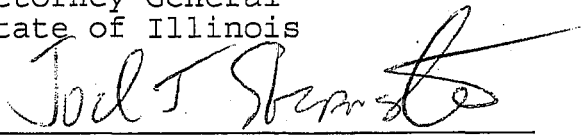
PLEASE TAKE NOTICE that today I have filed with the Pollution Control Board the following Motion to Dismiss William Flood and Brian Flood and Certificate of Service on behalf of the People of the State of Illinois, a copy of which is attached and hereby served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
Attorney General
State of Illinois

BY:



JOEL J. STERNSTEIN
Assistant Attorney General
Environmental Bureau
188 W. Randolph St., 20th Floor
Chicago, Illinois 60601
(312) 814-6986

DATE: August 13, 2003

THIS FILING IS SUBMITTED ON RECYCLED PAPER

SERVICE LIST

Mr. Brad Halloran, Esq.
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

Mr. Peter Orlinsky, Esq.
Illinois Environmental Protection Agency
9511 Harrison Street
Des Plaines, IL 60016

Mr. Harvey Sheldon, Esq.
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222 N. LaSalle Street, Suite 300
Chicago, IL 60601-1801

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PCB 97 - 9 STATE OF ILLINOIS
(Enforcement ~~Pollution~~ Control Board)

MOTION TO DISMISS WILLIAM FLOOD AND BRIAN FLOOD

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, hereby requests that the Illinois Pollution Control Board ("Board") dismiss William Flood and Brian Flood as Respondents in this matter only if William Flood and Brian Flood are dismissed without prejudice and only if the Board approves of the Stipulation and Proposal for Settlement in this matter filed on July 30, 2003 ("Settlement"). In support of this motion, Complainant states as follows:

1. The Settlement in this matter will not be affected by the dismissal of William Flood and Brian Flood without prejudice.
2. The parties in this matter have both agreed to the dismissal of William Flood and Brian Flood without prejudice.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests that the Board grant this motion to dismiss William Flood and Brian Flood as Respondents in this matter only if William Flood and Brian Flood are dismissed without prejudice

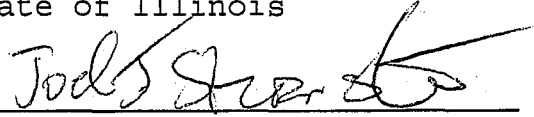
and only if the Board approves the Settlement.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
Attorney General
State of Illinois

BY:



JOEL J. STERNSTEIN
Assistant Attorney General
Environmental Bureau
188 W. Randolph St., 20th Floor
Chicago, Illinois 60601
(312) 814-6986

DATE: August 13, 2003

CERTIFICATE OF SERVICE

I, JOEL J. STERNSTEIN, an Assistant Attorney General, certify that on the 13th day of August, 2003, I caused to be served by First Class Mail the foregoing Motion to Dismiss William Flood and Brian Flood and Notice of Filing to the parties named on the attached Service list, by depositing the same in postage prepaid envelopes with the United States Postal Service located at 100 West Randolph Street, Chicago, Illinois 60601.



JOEL J. STERNSTEIN