

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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NOV 15 2004

STATE OF ILLINOIS  
Pollution Control Board

In the matter of:	)
	)
ELSTON/WEBSTER, LP, and	)
RENAISSANCE REALTY GROUP LLC,	)
Petitioners,	)
	)
v.	)
	)
ILLINOIS ENVIRONMENTAL PROTECTION	)
AGENCY,	)
Respondent.	)

PCB 04-155  
(UST-Appeal)

TO: John J. Kim  
Special Assistant Attorney General  
Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
Springfield, Illinois 62794

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph, Suite 11-500  
Chicago, IL 60601

**NOTICE OF FILING**

Please take notice that on November 10, 2004 we filed with the Clerk of the Illinois Pollution Control Board the attached Petitioners' Motion to Voluntarily Dismiss Action, a copy of which is herewith served upon you.

*Norman V. Chimenti*  
\_\_\_\_\_  
Norman V. Chimenti

Norman V. Chimenti  
Martin, Craig, Chester & Sonnenschein  
2215 York Road, Suite 550  
Oak Brook, Illinois 60523  
(630) 472-3408

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ELSTON/WEBSTER, LP, and )  
RENAISSANCE REALTY GROUP LLC )  
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  Petitioners, )

v. )

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
  Respondent. )


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**PETITIONERS' MOTION  
TO VOLUNTARILY DISMISS ACTION**

Pursuant to 35 Ill. Adm. Code 103.180 and Section 5/2-1009 of the Civil Practice Act (which applies herein in the absence of a different rule established by the Board), Petitioners move to voluntarily dismiss this action against Respondent. The Board imposes no filing fee or other costs on Respondent in actions such as this action. Petitioners know of no costs which they must pay to the Respondent so as to meet the terms "upon payment of costs" set forth in Section 5/2-1009.

Respectfully submitted,

ELSTON/WEBSTER, LP

By:   
Norman V. Chimenti  
Its Attorney

Norman V. Chimenti  
Martin, Craig, Chester & Sonnenschein  
2215 York Road, Suite 550  
Oak Brook, Illinois 60523  
(630) 472-3408

**CERTIFICATE OF SERVICE**

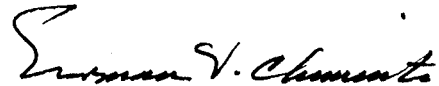
The undersigned, an attorney, certifies that on November 10, 2004, he mailed a copy of Petitioners' Motion to Voluntarily Dismiss Action by depositing same in the United States mail, properly addressed with postage prepaid, at 2215 York Road, Suite 550, Oak Brook, Illinois 60523 to each person shown below:

John J. Kim  
Special Assistant Attorney General  
Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
Springfield, Illinois 62794-9276

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph, Suite 11-500  
Chicago, IL 60601

and to the following by certified mail, return receipt requested:

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601



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Norman V. Chimenti