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MAR 10 2005

STATE OF ILLINOIS
Pollution Control Board

**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

MARTIN OIL MARKETING, LTD.,)
)
 Petitioner,)
)
 v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
 Respondent.)

No. PCB 04-68
(UST Appeal)

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on March 10, 2005, we filed with the Clerk of the Illinois Pollution Control Board, 100 West Washington Street, Suite 11-500, Chicago, Illinois 60601, an original and thirteen (13) copies of **Motion for Voluntary Dismissal**, a copy of which is attached hereto and hereby served upon you.

MARTIN OIL MARKETING, LTD.

By Joe Madonia
One of its attorneys

Joseph F. Madonia
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PROOF OF SERVICE
(Martin Oil Marketing, Ltd. v. IEPA)
No. PCB 04-68

I, Gail Kaleta, a non-attorney, certify that I served a copy of the foregoing **Motion for Voluntary Dismissal and Notice of Filing** upon the following by U.S. Mail and depositing same at 225 W. Wacker, Chicago, Illinois, 60606 on this 10th day of March, 2005, with proper postage prepaid:

John Kim
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

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

Gail Kaleta

[X] Under penalties as provided by law pursuant to ILL. REV. STAT.
CHAP. 110 - SEC 1-109, I certify that the statements set forth
herein are true and correct.

BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD

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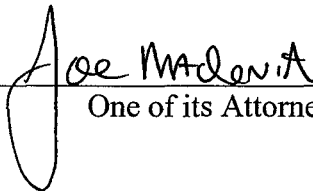
MARTIN OIL MARKETING, LTD.,)
)
Petitioner,)
)
v.) No. PCB 04-68
) (UST - Fund)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

MOTION FOR VOLUNTARY DISMISSAL

Petitioner, Martin Oil Marketing, Ltd., respectfully moves for Voluntary Dismissal of this appeal. Petitioner has conferred with Respondent and a settlement has been reached, which requires dismissal of this appeal, each party to bear its own costs.

Respectfully Submitted,

MARTIN OIL MARKETING, LTD.



One of its Attorneys

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