

**APR 26 2005**

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**STATE OF ILLINOIS**  
**Pollution Control Board**

**PPG INUDSTRIES, INC.**

**Petitioner,**

**v.**

**ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,**

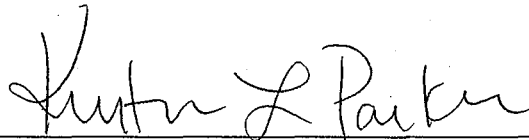
**Respondent.**

**PCB 03-82**  
**(Permit Appeal-Air)**

**NOTICE OF FILING**

PLEASE TAKE NOTICE that today we filed with the Clerk of the Illinois Pollution Control Board Petitioner's Motion to Voluntarily Dismiss its Petition for Administrative Review and Stay of Effectiveness.

Respectfully submitted,



Charles T. Wehland  
Kristin L. Parker  
Jones Day  
77 West Wacker  
Suite 3500  
Chicago, Illinois 60601-1692  
(312) 782-3939

Dated: April 26, 2005

CHI-1424837v2

THIS PLEADING IS SUBMITTED ON RECYCLED PAPER

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**PCB 03-82**  
**(Permit Appeal-Air)**

**PETITIONER'S MOTION TO VOLUNTARILY DISMISS ITS PETITION FOR  
ADMINISTRATIVE REVIEW AND STAY OF EFFECTIVENESS**

Petitioner, PPG Industries, Inc. ("PPG"), hereby submits this Motion to Voluntarily Dismiss its Petition for Administrative Review and Stay of Effectiveness. In support of its Motion, Petitioner states:

1. On November 7, 2002, the Illinois Environmental Protection Agency ("IEPA") issued a Title V Permit, number 115810AAA, to PPG for its facility located at Elwin and Mount Zion Roads in Mount Zion, Illinois (the "Permit").

2. Because certain of the Permit requirements differed from those set forth in the facility's previous Title V Permit and were not realistic for the facility's operations, PPG filed a Petition for Administrative Review and Stay of Effectiveness of the Permit with the Illinois Pollution Control Board on December 10, 2002.

3. PPG and the IEPA thereafter engaged in discussions and exchanged additional information about PPG's processes. During those discussions, the IEPA agreed that it would

revise the Permit to reflect appropriate emission limits and calculation methods as agreed upon by the parties.

4. The IEPA issued a final revised Title V Permit, which incorporated such emission limits and calculation methods, on February 1, 2005.

5. In light of the above facts, PPG no longer wishes to pursue its Petition for Administrative Review and Stay of Effectiveness.

6. Counsel for Petitioner conferred with Robb Layman, counsel for the IEPA, regarding the revised Permit on April 20, 2005. Mr. Layman indicated that at that time he had no objection to PPG's dismissal of the Petition.

WHEREFORE, PPG hereby requests that the Illinois Pollution Control Board enter an order granting Petitioner's Motion to Voluntarily Dismiss its Petition for Administrative Review and Stay of Effectiveness, without prejudice.

Respectfully Submitted,

DATED: April 26, 2005

PPG INDUSTRIES, INC.

By: 

Charles T. Wehland

Kristin L. Parker

Jones Day

77 West Wacker

Suite 3500

Chicago, Illinois 60601-1692

**CERTIFICATE OF SERVICE**

It is hereby certified that true copies of the foregoing Notice of Filing and Petitioner's Motion to Voluntarily Dismiss its Petition for Administrative Review and Stay of Effectiveness were mailed, first class, to each of the following on April 26, 2005:

Carol Sudman Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274

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

It is hereby certified that a true copy of the foregoing was hand delivered to the following on April 26, 2005:

Dorothy M. Gunn  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph Street  
Suite 11-500  
Chicago, Illinois 60601



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