

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

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SEP 28 2005

STATE OF ILLINOIS  
Pollution Control Board

BUNKER HILL AMOCO, )  
)  
Petitioner, )  
)  
v. ) PCB 05-36  
) (UST Appeal)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
)  
Respondent. )

NOTICE OF FILING

TO: John Kim Carol Webb  
Special Assistant Attorney General Hearing Officer  
Illinois Environmental Protection Agency Illinois Pollution Control Board  
1021 North Grand Avenue East 1021 North Grand Avenue East  
P.O. Box 19276 P.O. Box 19274  
Springfield, Illinois 62794-9276 Springfield, Illinois 62794-9274

PLEASE TAKE NOTICE that on September 28, 2005, filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois an original, executed copy of a Motion to Dismiss.

Dated: September 28, 2005

Respectfully submitted,

**Bunker Hill Amoco**

By: Carolyn S. Hesse  
One of Its Attorneys

Carolyn S. Hesse  
**Barnes & Thornburg LLP**  
One North Wacker Drive  
Suite 4400  
Chicago, Illinois 60606  
(312) 357-1313  
296874v1

{This filing submitted on recycled paper as defined in 35 Ill. Adm. Code 101.202}


**CERTIFICATE OF SERVICE**

I, on oath state that I have served the attached Motion to Dismiss by placing a copy in an envelope addressed to:

John Kim  
Special Assistant Attorney General  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

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

from One North Wacker Drive, Suite 4400, Chicago, Illinois, before the hour of 5:00 p.m., on this 28<sup>th</sup> Day of September, 2005.

  
\_\_\_\_\_  
Carolyn S. Hesse

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**MOTION TO DISMISS**

Now comes Petitioner, Bunker Hill Amoco, and respectfully requests that the Illinois Pollution Control Board dismiss the above-captioned matter. The Respondent, Illinois Environmental Protection Agency and Petitioner resolved the issues in dispute.

Wherefore, Petitioner respectfully requests that the Board dismiss this matter.

Dated: September 28, 2005

Respectfully submitted,

**Bunker Hill Amoco**

By: Carolyn S. Hesse  
One of Its Attorneys

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