

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

MARATHON ASHLAND PETROLEUM, LLC)	
Selective Catalytic Reduction Unit)	
)	
)	PCB 06-102
)	(Tax Certification)
PROPERTY IDENTIFICATION NUMBER)	
51-34-1-21 or portion thereof)	

NOTICE

TO: Dorothy Gunn, Clerk
 Illinois Pollution Control Board
 State of Illinois Center
 100 W. Randolph Street, Suite 11-500
 Chicago, Illinois 60601

John S. Swearingen
 Marathon Ashland Petroleum
 Refinery Office Building
 Robinson, Illinois 62454

Steve Santarelli
 Illinois Department of Revenue
 101 West Jefferson
 P.O. Box 19033
 Springfield, Illinois 62794

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Pollution Control Board the MOTION TO WITHDRAW RECOMMENDATION of the Illinois Environmental Protection Agency, a copy of which is herewith served upon the applicant and a representative of the Illinois Department of Revenue.

Respectfully submitted by,

_____/s/_____
 Robb H. Layman
 Assistant Counsel

Date: January 5, 2006

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 1021 North Grand Avenue East
 P.O. Box 19276
 Springfield, IL 62794-9276
 Telephone: 217/524-9137

Board on or about December 29, 2004, supporting tax certification for the same Selective Catalytic Reduction Unit. The only differences in content between the original application and the later amended application concerned the project's accounting data.

3. The Board approved tax certification of the Selective Catalytic Reduction Unit in a formal Order dated January 6, 2005. *See, Marathon Ashland Petroleum, LLC (Selective Catalytic Reduction (Property Identification Number 51-34-1-21)) v. Illinois EPA*, PCB No. 05-120 (January 6, 2005).

4. Because of the project's prior tax certification by the Board, the Illinois EPA's inadvertent filing of the December 13, 2005, Recommendation in this cause is moot.

5. Prior to the filing of this Motion, the undersigned counsel spoke with Mr. Dennis Baker, an authorized contact person for Marathon, about this matter. The company's representative confirmed that Marathon had determined that the project had already received tax certification and that, as such, no objection to this Motion would be stated.

WHEREFORE, the Illinois EPA moves the Board to grant this Motion withdrawing the Recommendation filed on or about December 13 2005, and to close the above-referenced docket of this proceeding.

Respectfully submitted by,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

_____/s/_____
Robb H. Layman
Assistant Counsel

DATED: January 5, 2006

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
Telephone: 217/524-9137

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of January 2006, I electronically filed the following instruments entitled **MOTION TO WITHDRAW RECOMMENDATION** with:

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

and, further, that I did send a true and correct copy of the same foregoing instruments, by First Class Mail with postage thereon fully paid and deposited into the possession of the United States Postal Service, to:

Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
P.O. Box 19033
Springfield, Illinois 62794

John S. Swearingen
Marathon Ashland Petroleum
Refinery Office Building
Robinson, Illinois 62454

_____/s/_____
Robb H. Layman
Assistant Counsel