DEFORE THE POLLUTION CONTROL BOARD OF THE STATE OF ILLINOIS

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JAN 29 2007

BIGGS BROTHERS SERVICE CENTER,)		2 0 2001
Petitioner,)		STATE OF ILLINOIS Pollution Control Board
V.)	PCB No. 06-88	
)	(LUST Appeal)	

PETITIONER'S MOTION TO DISMISS THE APPEAL

Respondent.

Pursuant to Board Rule 105.108(e), 35 ILL. ADM. CODE § 105.108(e), petitioner Biggs Brothers Service Center ("Biggs"), by its attorneys in this regard, The Sharp Law Firm, P.C., moves for dismissal of the above-captioned appeal.

In support, Biggs states that the issues raised in this appeal have been compromised and settled, which settlement constitutes other grounds that bar the petitioner from proceeding under Rule 105.108(e).

January 23, 2007

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY.

BIGGS BROTHERS SERVICE CENTER

One of its Attorneys

John T. Hundley
THE SHARP LAW FIRM, P.C.
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CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I served the foregoing document:

Upon the Clerk by Facsimile to 312-814-3669 and Mail to:

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

Upon the Agency by Facsimile to 217-782-9807 and Mail to:

William D. Ingersoll Managing Attorney Illinois Environmental Protection Agency 1021 N. Grand Ave. East Springfield, IL 62702

Upon the Hearing Officer by Facsimile to 217-524-8508 and Mail to:

Hon. Carol Webb Illinois Pollution Control Board 1021 N. Grand Ave. East P.O. Box 19274 Springfield, IL 62794

I further certify that I caused the facsimile transmissions to be made through an automated system which confirms their receipt and that I caused the mailed copies to be deposited in the United States Post Office Mail Box at Mt. Vernon, Illinois, in sealed envelopes with proper first class postage prepaid, before 6:00 p.m. this date, addressed as stated above.

January 23, 2007

∕ohn T.∖⊕undley

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