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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

TED'S CITGO,)	
	Petitioner,)	
)	
٧.)	PCB No. 07-66
)	(LUST APPEAL)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
	Respondent.)	

PETITIONER'S MOTION TO DISMISS THE APPEAL

Pursuant to Board Rule 105.108(e), 35 ILL. ADM. CODE § 105.108(e), and to the agreement of counsel, petitioner Ted's Citgo ("Citgo"), by its attorneys in this regard, The Sharp Law Firm, P.C., moves for dismissal of the above-captioned appeal.

In support, Citgo 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).

July 19, 2007

TED'S CITGO

One of its Attorney

John T. Hundley Mandy L. Combs THE SHARP LAW FIRM, P.C. P.O. Box 906 – 1115 Harrison Mt. Vernon, IL 62864 618-242-0246 Counsel for Petitioner Ted's Citgo

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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:

James G. Richardson Assistant Counsel Illinois Environmental Protection Agency 1021 N. Grand Ave. East Springfield, IL 62702

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

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

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 14th and Main Streets in Mt. Vernon, Illinois, in sealed envelopes with proper first class postage prepaid, before 6:00 p.m. this date, addressed as stated above.

July 19, 2007

Mandy L. Combs

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MandyCombs/USI/Citgo/Mtn Dismiss.doc.