

BEFORE THE  
ILLINOIS POLLUTION CONTROL BOARD

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JUL 23 2007

STATE OF ILLINOIS  
Pollution Control Board

E & L TRUCKING COMPANY, )  
Petitioner, )  
 )  
V. ) PCB #02-53  
 ) (UST - Appeal)  
 )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
Respondent. )

NOTICE

TO:

**MR. BRADLEY HALLORAN**  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph, Suite 11-500  
Chicago, IL 60601

**JAMES G. RICHARDSON**  
Special Assistant Attorney General  
Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
Springfield, IL 62794-9276

**MS. DOROTHY GUNN, CLERK**  
Illinois Pollution Control Board  
100 West Randolph, Suite 11-500  
Chicago, IL 60601

**PLEASE TAKE NOTICE** that on Friday, July 20<sup>th</sup>, 2007, I have filed with the Office of the Clerk of the Pollution Control Board **MOTION TO DISMISS**, copies of which are herewith served upon you.

Submitted on behalf of:  
**E & L TRUCKING COMPANY**, Petitioner

By:

  
\_\_\_\_\_  
**JOHN BURDS,**  
Attorney at Law

1170 South Plymouth Court, Suite 2NE  
Chicago, IL 60605  
Phone: (312) 341-0037  
Facsimile: (312) 341-9394

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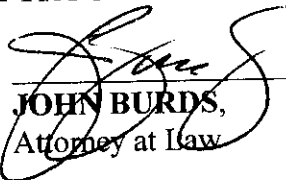
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MOTION TO DISMISS

NOW COMES Petitioner, E & L TRUCKING COMPANY, by and through its attorney, JOHN BURDS, and hereby moves to dismiss the pending petition for review, as the parties have entered into a settlement in which the matters at issue have been resolved and allows the unresolved costs to be resubmitted as indicated therein. Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by and through its attorney, JAMES G. RICHARDSON has reviewed said motion and has no objection to the granting of this motion; however, Respondent makes no representations or inferences as to the outcome of any review of any resubmission of those unresolved costs.

Submitted on behalf of:  
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By:

  
JOHN BURDS,  
Attorney at Law

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Chicago, IL 60605  
Phone: (312) 341-0037  
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**CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that I have served true and correct copies of the attached documents, **MOTION TO DISMISS**, upon the following named persons to whom it is directed, by placing such copies thereof in properly sealed envelopes, plainly addressed as referenced below set forth and mailing it with sufficient postage first class mail, on this 20th day of July 2007:

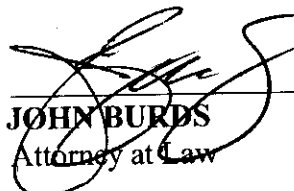
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