## BEFORE THE POLLUTION CONTROL BOARD OF THE STATE OF ILLINOISK'S OFFICE

KIBLER DEVELOPMENT CORPORATION and MARION RIDGE LANDFILL, INC.,	) STATE OF ILLINOIS Pollution Control Board
Petitioners,	) Control Board
V.	) Case No.2007-43
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	) Permit Appeal )
Respondent.	)

## NOTICE OF FILING AND PROOF OF SERVICE

The undersigned certifies that an original and nine copies of the foregoing Motion for Voluntary Dismissal and of this Notice of Filing and Proof of Service, were served upon the Clerk of the Illinois Pollution Control Board, and one copy to each of the following parties of record and hearing officer in this cause by enclosing same in an envelope addressed to:

Dorothy Gunn, Clerk Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph St., Suite 11-500 Chicago, IL 60601 Francis X. Lyons Bell, Boyd & Lloyd LLC 70 West Madison Street Chicago, IL 60602

Carol Webb Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East, P.O. Box 19274 Springfield, IL 62796-9274 Melanie Jarvis Division of Legal Counsel Illinois Environmental Protection Agency 1021 N. Grand Ave. East P.O. Box 19276 Springfield, IL 62794-9276

with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office Mail Box in Springfield, Illinois before 5:30 p.m. on the less day of July, 2008.

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Steph

enhen F. Hedinger

Hedinger Law Office 2601 South Fifth Street Springfield, IL 62703

Telephone: (217) 523-2753

Fax: (217) 523-4366

hedinger@hedingerlaw.com

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## BEFORE THE ILLINOIS POLLUTION CONTROL BOARD CLERK'S OFFICE

KIBLER DEVELOPMENT CORPORATION and	JUL 2 1 2008
MARION RIDGE LANDFILL, INC.,	) STATE OF ILLINOIS Pollution Control Board
Petitioners,	) Control Board
v.	) Case No.2007-43 ) Permit Appeal
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)
Respondent.	)

## MOTION FOR VOLUNTARY DISMISSAL

NOW COME Petitioners, KIBLER DEVELOPMENT CORPORATION and MARION RIDGE LANDFILL, INC., through their undersigned attorney, and hereby move for voluntary dismissal of this permit appeal, on the basis that all issues related to this matter have been resolved between Petitioners and Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY. In support, Petitioners state as follows:

1. Petitioners request that this permit appeal be dismissed, all disagreements concerning the permit having been resolved between Petitioners and Respondent Illinois Environmental Protection Agency. This motion is being filed with approval of the Illinois Environmental Protection Agency, through its counsel.

WHEREFORE Petitioners, KIBLER DEVELOPMENT CORPORATION and MARION RIDGE LANDFILL, INC., request that this Board dismiss this permit appeal.

Respectfully submitted,

Kibler Development Corporation & Marion Ridge Landfill, Inc., Petitioners,

By their attorney,

HEDINGER LAW OFFICE

Hedinger Law Office 2601 South Fifth Street Springfield, IL 62703 Telephone: (217) 523-2753 Fax: (217) 523-4366 hedinger@hedingerlaw.com