## BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

HANNEL OIL COMPANY,	)	
Petitioner,	)	
v.	) ) PCB 09-19 ) (UST Appeal)	RECEIVED CLERK'S OFFICE
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	, , , , , , , , , , , , , , , , , , , ,	APR U 3 2009
Respondent.	) ) )	STATE OF ILLINOIS Pollution Control Board

## NOTICE OF FILING AND PROOF OF SERVICE

TO: John T. Therriault, Acting Clerk Illinois Pollution Control Board 100 West Randolph Street State of Illinois Building Suite 11-500 Chicago, IL 60601

> Carol Webb Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19274 Springfield, IL 62794-9274

Mike Mankowski Attorney General of the State of Illinois Environmental Bureau 500 S. Second Street Springfield, IL 62706

PLEASE TAKE NOTICE we are today filing with the Pollution Control Board by U.S. mail the original and nine (9) copies of Petitioner's Motion to Dismiss, a copy of which is attached hereto.

The undersigned hereby certifies that a true and correct copy of this Notice of Filing, together with a copy of the document described above, were today served upon the hearing officer and counsel of record of all parties to this cause by enclosing same in envelopes addressed to such attorneys at their business addresses as disclosed by the pleadings of record herein, with postage fully prepaid, and by depositing same in the U.S. Mail in Springfield, Illinois on the 1<sup>st</sup> day of April, 2009.

-Patrick D. Shaw

MOHAN, ALEWELT, PRILLAMAN & ADAMI

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THIS FILING SUBMITTED ON RECYCLED PAPER

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HANNEL OIL COMPANY,	)		RECEIVED CLERK'S OFFICE
Petitioner,	)		APR 0 3 2009
v. ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	) ) )	PCB 09-19 (UST Appeal)	STATE OF ILLINOIS Pollution Control Board
Respondent.	)		

## **MOTION TO DISMISS**

NOW COMES Petitioner, HANNEL OIL COMPANY, by its undersigned attorneys, and moves to dismiss the pending petition for review, without concession or admission as to any issue raised by any party to this case, for the reason that the matters at issue have been settled by and between the parties. Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, has no objection to the granting of this Motion.

Respectfully Submitted, HANNEL OIL COMPANY,

By: MOHAN, ALEWELT, PRILLAMAN & ADAMI

Patrick D Shar

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