BEFORE THE POLLUTION CONTROL BOARD STATE OF ILLINOIS

PEACOCK OIL COMPANY,)	
Petitioner,)	
v.)	PCB-09-114
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
Respondent.)	

NOTICE OF FILING

Clerk
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Melanie A. Jarvis Illinois Environmental Protection Agency Division of Legal Counsel 1021 N. Grand Avenue, N.E. P.O. Box 19276 Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that on November _______, 2010, Petitioner, Peacock Oil

Company, filed with the Clerk of the Illinois Pollution Control Board, the attached MOTION TO VOLUNTARY DISMISS, a copy which is served upon you.

PEACOCK OIL COMPANY

One of its Attor

Mark Steger, Esq. Holland & Knight LLP 131 South Dearborn Street 30th Floor Chicago, IL 60603 (312) 263-3600

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MOTION TO VOLUNTARY DISMISS

NOW COMES Petitioner, Peacock Oil Company ("Peacock"), through its attorneys, Holland & Knight LLP and hereby files this Motion to Voluntary Dismiss Petition for Review because the parties have resolved the subject matter of the Petition for Review.

WHEREFORE, Petitioner requests that the Board grant this motion and dismiss the Petition for Review.

Respectfully submitted,

PEACOCK/OIL COM

Dated: November 1

Mark Steger, Esq. Holland & Knight LLP 131 South Dearborn Street 30th Floor Chicago, IL 60603 (312) 263-3600 One of Its Attorneys

THIS FILING IS SUBMITTED ON RECYCLED PAPER

CERTIFICATE OF SERVICE

Mark J. Steger, one of the attorneys for Peacock Oil Company, states that he caused a copy of the foregoing Motion to Voluntary Dismiss, served via U.S. Mail, before the hour of 5:00 p.m. on November , 2010 to:

Melanie A. Jarvis Illinois Environmental Protection Agency Division of Legal Counsel 1021 North Grand Avenue East Springfield, IL 62794-9276

Bradley P. Halloran Hearing Officer Illinois Pollution Control Board 100 West Randolph Street Suite 11-500 Chicago, Illinois 60601

Mark J/Steger

Mark Steger, Esq. Holland & Knight LLP 131 South Dearborn Street 30th Floor Chicago, IL 60603 (312) 263-3600