

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

DEC 20 2010

STATE OF ILLINOIS
Pollution Control Board

GRAND PIER CENTER LLC and AMERICAN
INTERNATIONAL SPECIALTY LINES
INSURANCE CO. as subrogee of Grand Pier
Center LLC,

Complainant,

v.

RIVER EAST LLC, CHICAGO DOCK AND
CANAL TRUST, CHICAGO DOCK AND
CANAL COMPANY, AND TRONOX LLC,

Respondents.

TRONOX LLC,

Counter-Complainants,

v.

GRAND PIER CENTER LLC, and
AMERICAN INTERNATIONAL SPECIALTY
LINES INSURANCE CO., as subrogee of
Grand Pier Center LLC,

Counter-Respondents.

PCB No. 05-157
(Citizens Enforcement - Land)

ORIGINAL

PCB 05-157
(Citizens Enforcement - Land)

NOTICE OF FILING

TO: John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph Street
Chicago, IL 60601

Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph Street
Chicago, IL 60601

SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on this date I have filed with the Office of the Clerk of the Pollution Control Board **RESPONDENTS' MOTION TO VOLUNTARILY DISMISS**,
copies of which are herewith served upon you.

Date: December 20, 2010

TRONOX LLC

/s/ David H. DeCelles
David H. DeCelles, One of Its Attorneys

David H. DeCelles
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, Illinois 60654-3406
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
E-Mail: david.decelles@kirkland.com

RECEIVED
CLERK'S OFFICE

DEC 20 2010

STATE OF ILLINOIS
Pollution Control Board

CERTIFICATE OF SERVICE

The undersigned certifies he caused to be served the foregoing NOTICE OF FILING by

U.S. Mail on the 20th day of December, 2010, to:

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

Patrick G. Ryan, Jr.
First Look Dealer Network
815 W. Van Buren Street
Suite 500
Chicago, IL 60607

John T. Smith II
Thomas E. Hogan
COVINGTON & BURLING
1201 Pennsylvania Ave. N.W.
Washington, D.C. 20004-2401

ORIGINAL

Bob Fealy
David Filkin
Duchossois Industries, Inc.
845 Larch Avenue
Elmhurst, IL 60126

Janet Melk
219 E. Lake Shore Drive
Apt 70D
Chicago, IL 60611

Dean Buntrock c/o Don Langford
Oakbrook Terrace Tower
One Tower Lane, Suite 2242
Oakbrook Terrace, IL 60181

John Melk
One Fisher Island Drive
Executive Offices, Third Floor
Fisher Island, FL 33109

Kevin Flynn
Emerald Ventures, Inc.
120 N. LaSalle Street
Suite 3300
Chicago, IL 60602

Brian Flynn
Donald Flynn
Keith Skibicki
Flynn Enterprises
676 N. Michigan Avenue
Suite 4000
Chicago, IL 60611

Dan Miller
Jones, Day, Reavis & Pogue
77 W. Wacker Drive, Suite 3500
Chicago, IL 60601

Karen MacAdam
340 W. Barry Avenue
Coachhouse
Chicago, IL 60657

Jeffrey Shearer
Lost Dune Golf Club
9300 Red Arrow Highway
P.O. Box 99
Bridgman, MI 49106-0099

Howard C. Warren
161 E. Chicago Avenue
Apt. 38B
Chicago, IL 60611

By: /s/ David H. DeCelles

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE
DEC 20 2010
STATE OF ILLINOIS
Pollution Control Board

GRAND PIER CENTER LLC and AMERICAN
INTERNATIONAL SPECIALTY LINES
INSURANCE CO. as subrogee of Grand Pier
Center LLC,

Complainant,

v.

RIVER EAST LLC, CHICAGO DOCK AND
CANAL TRUST, CHICAGO DOCK AND
CANAL COMPANY, AND TRONOX LLC,

Respondents.

TRONOX LLC,

Counter-Complainants,

v.

GRAND PIER CENTER LLC, and
AMERICAN INTERNATIONAL SPECIALTY
LINES INSURANCE CO., as subrogee of
Grand Pier Center LLC,

Counter-Respondents.

PCB No. 05-157
(Citizens Enforcement - Land)

ORIGINAL

PCB 05-157
(Citizens Enforcement - Land)

MOTION TO VOLUNTARILY DISMISS

Respondent Tronox LLC f/k/a Kerr-McGee Chemical LLC, pursuant to Section 101.500 of the General Rules of the Illinois Pollution Control Board and 735 ILCS 5/2-1009 of the Illinois Code of Civil Procedure, hereby moves to voluntarily dismiss its counterclaim with prejudice. Concurrent with this motion, Grand Pier Center LLC and American International Specialty Lines Insurance Co. are filing a motion to dismiss their complaint against Tronox LLC with prejudice. Consequently, an order granting both motions to voluntarily dismiss will resolve all pending claims and will constitute a final disposition of the above-captioned proceeding.

December 20, 2010

Respectfully submitted

TRONOX LLC
F/K/A KERR-McGEE CHEMICAL LLC

By: /s/ David H. DeCelles
One of Respondent's attorneys

David DeCelles
Kirkland & Ellis LLP
300 North LaSalle
Chicago, IL 60654

CERTIFICATE OF SERVICE

The undersigned certifies he caused to be served the foregoing **RESPONDENT'S**

MOTION TO DISMISS by U.S. Mail on the 20th day of December, 2010, to:

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

Patrick G. Ryan, Jr.
First Look Dealer Network
815 W. Van Buren Street
Suite 500
Chicago, IL 60607

John T. Smith II
Thomas E. Hogan
COVINGTON & BURLING
1201 Pennsylvania Ave. N.W.
Washington, D.C. 20004-2401

Bob Fealy
David Filkin
Duchossois Industries, Inc.
845 Larch Avenue
Elmhurst, IL 60126

Janet Melk
219 E. Lake Shore Drive
Apt 70D
Chicago, IL 60611

Dean Buntrock c/o Don Langford
Oakbrook Terrace Tower
One Tower Lane, Suite 2242
Oakbrook Terrace, IL 60181

John Melk
One Fisher Island Drive
Executive Offices, Third Floor
Fisher Island, FL 33109

Kevin Flynn
Emerald Ventures, Inc.
120 N. LaSalle Street
Suite 3300
Chicago, IL 60602

Brian Flynn
Donald Flynn
Keith Skibicki
Flynn Enterprises
676 N. Michigan Avenue
Suite 4000
Chicago, IL 60611

Dan Miller
Jones, Day, Reavis & Pogue
77 W. Wacker Drive, Suite 3500
Chicago, IL 60601

Karen MacAdam
340 W. Barry Avenue
Coachhouse
Chicago, IL 60657

Jeffrey Shearer
Lost Dune Golf Club
9300 Red Arrow Highway
P.O. Box 99
Bridgman, MI 49106-0099

Howard C. Warren
161 E. Chicago Avenue
Apt. 38B
Chicago, IL 60611

By: /s/ David H. DeCelles