

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

PIONEER OIL COMPANY,	)	
Petitioner,	)	
	)	
v.	)	PCB 07-127
	)	(UST Appeal)
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY,	)	
Respondent.	)	
	)	

**NOTICE**

John Therriault, Acting Clerk  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601-3218

Carol Webb, Hearing Officer  
Illinois Pollution Control Board  
P.O. Box 19274  
Springfield, Illinois 62794-9274

John Talbot Sant, Jr.  
Armstrong Teasdale  
7700 Forsyth Boulevard, Suite 1800  
St. Louis, Missouri 63105

Donald M. Samson  
226 West Main Street, Suite 102  
Belleville, Illinois 62220

Ron Tompkins, 114 N. Elm, R.R.4, Vandalia, Illinois 62471

PLEASE TAKE NOTICE that I have today caused to be filed a MOTION TO DISMISS with the Illinois Pollution Control Board, copies of which are served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

*/s/ James G. Richardson*  
James G. Richardson  
Assistant Counsel

Dated: March 31, 2011  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**



cannot be concluded by either adjudication on its merits or agreed settlement.

4. To ensure that parties potentially interested in USI's involvement with this facility are not prejudiced by this Motion, the Motion is being provided to the owner/operator of the facility as identified in Illinois EPA records, the trustee of the bankruptcy estate, and counsel for Marshall and Ilsley Bank, which acquired Southwest Bank and is the secured party with interest in payments from the Illinois EPA.

For the reasons stated herein, the Illinois EPA respectfully requests that this appeal be dismissed by the Illinois Pollution Control Board.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

/s/ James G. Richardson  
James G. Richardson  
Special Assistant Attorney General

Dated: March 31, 2011

**CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that on March 31, 2011 I served true and correct copies of a MOTION TO DISMISS upon the persons and by the methods as follows:

***[Electronic Filing]***

John Therriault, Acting Clerk  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601-3218

***[1<sup>st</sup> Class U.S. Mail]***

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

***/s/ James G. Richardson***

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