

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ZIGGY DEVELOPMENT, LLC,)	
)	
Petitioner,)	
v.)	PCB No. 11-91
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Mr. John Therriault
Assistant Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601
(VIA ELECTRONIC MAIL)

(PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **MOTION TO VOLUNTARILY WITHDRAW PETITION FOR REVIEW**, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

ZIGGY DEVELOPMENT, LLC,
Petitioner,

Dated: June 15, 2011

By: /s/ Lauren C. Lurkins
One of Its Attorneys

Edward W. Dwyer
Lauren C. Lurkins
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

THIS NOTICE SUBMITTED ON RECYCLED PAPER

CERTIFICATE OF SERVICE

I, Lauren C. Lurkins, the undersigned, hereby certify that I have served the attached MOTION TO VOLUNTARILY WITHDRAW PETITION FOR REVIEW, upon:

Mr. John Therriault
Assistant Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

via electronic mail on June 15, 2011, and upon:

Mark V. Gurnik
Special Assistant Attorney General
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois on June 15, 2011.

/s/ Lauren C. Lurkins
Lauren C. Lurkins

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MOTION TO VOLUNTARILY WITHDRAW PETITION FOR REVIEW

NOW COMES Petitioner, ZIGGY DEVELOPMENT, LLC (“Petitioner”), by and through its attorneys, HODGE DWYER & DRIVER, and hereby moves to voluntarily withdraw its Petition for Review (“Petition”) regarding the decision by the Respondent, Illinois Environmental Protection Agency (“Illinois EPA”) regarding Petitioner’s submittal of an Amended High Priority Corrective Action Plan & Budget. In support of this Motion, Petitioner states as follows:

1. Petitioner is the owner of the facility formerly known as Midwest Illinois Auto and Truck Plaza located at Illinois Route 127 and Interstate 70, in Greenville, Illinois.
2. On May 6, 2011, Petitioner filed the Petition with the Illinois Pollution Control Board in this matter.
3. Based on discussions with the Illinois EPA after the filing of the Petition, Petitioner has determined that it is in the best interest of all parties for it to voluntarily dismiss the Petition at this time.

WHEREFORE, for the reasons described herein, Petitioner ZIGGY DEVELOPMENT, LLC, respectfully asks that the Illinois Pollution Control Board grant this Motion and issue an Order finding ZIGGY DEVELOPMENT, LLC's Petition for Review in this matter withdrawn as of the date of this Motion.

Respectfully submitted,

ZIGGY DEVELOPMENT, LLC,
Petitioner,

Dated: June 15, 2011

By: /s/ Lauren C. Lurkins
Lauren C. Lurkins

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FRNK:001/Fil/Motion to Withdraw Petition for Review