

ILLINOIS POLLUTION CONTROL BOARD
MORGAN SOUTHERN COMPANY,

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[x] Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the statements set forth herein are true and correct.

04432-0001

BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD

MORGAN SOUTHERN COMPANY,)	
)	
Petitioner,)	
)	
vs.)	PCB 06-17
)	(UST Fund Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

UNOPPOSED MOTION TO VOLUNTARILY DISMISS

Petitioner MORGAN SOUTHERN COMPANY ("petitioner"), through its attorneys Swanson, Martin & Bell, LLP, moves to voluntarily dismiss its appeal.

1. Petitioner filed this appeal of respondent the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY's ("I EPA") decision denying petitioner's requested reimbursement from the Leaking Underground Storage Tank fund.
2. Petitioner no longer wishes to pursue its appeal, and moves to voluntarily dismiss the appeal.
3. Counsel for IEPA has no objection to petitioner's motion to voluntarily dismiss, and has authorized petitioner's counsel to so state.

WHEREFORE, petitioner MORGAN SOUTHERN COMPANY moves the Board to voluntarily dismiss petitioner's appeal, and for such other relief as the Board deems appropriate.

MORGAN SOUTHERN COMPANY

By: s/Elizabeth S. Harvey One of
its attorneys

Date: July 18, 2011.

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