

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

J & A INVESTORS, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB No. 14-23
)	(Permit Appeal - Water)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Mr. John Therriault	Carol Webb, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	1021 North Grand Avenue East
Suite 11-500	Post Office Box 19274
Chicago, Illinois 60601	Springfield, Illinois 62794-9274
(VIA ELECTRONIC MAIL)	(VIA FIRST CLASS MAIL)

(SEE 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 copy of J & A INVESTORS, LLC's **MOTION FOR VOLUNTARY DISMISSAL**, a copy of which is hereby served upon you.

Respectfully submitted,
J & A INVESTORS, LLC,
Petitioner,

Dated: July 25, 2014

By: /s/ Edward W. Dwyer
One of Its Attorneys

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

CERTIFICATE OF SERVICE

I, Edward W. Dwyer, the undersigned, certify that I have served the attached

MOTION FOR VOLUNTARY DISMISSAL upon:

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

via electronic mail on July 25, 2014; and upon:

Carol Webb, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

Jane E. McBride, Esq.
Office of the Illinois Attorney General
500 South Second Street
Springfield, Illinois 62706

Division of Legal Counsel
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 July 25, 2014.

/s/ Edward W. Dwyer
Edward W. Dwyer

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

J & A INVESTORS, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB No. 14-23
)	(Permit Appeal - Water)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

MOTION FOR VOLUNTARY DISMISSAL

NOW COMES Petitioner, J & A INVESTORS, LLC ("J & A" or "Petitioner"), by and through its attorneys, HODGE DWYER & DRIVER, pursuant to 35 Ill. Admin. Code § 101.500, and moves the Illinois Pollution Control Board ("Board") to dismiss this action.

In support of this Motion, Petitioner states as follows:

1. J & A owns a facility at 205 Turner Drive in Rantoul, Illinois that is operated by Rantoul Foods LLC ("Rantoul") as a pork harvesting facility ("Facility"). J & A purchased the Facility on September 17, 2010. The Facility processes, packages and markets its fresh and frozen pork products to the Retail, Food Service, Further Processing and Export Markets.

2. On August 14, 2013, the Illinois Environmental Protection Agency ("Illinois EPA" or "Agency") issued a Supplemental Permit to J & A to own and operate water pollution control facilities and for the land application of sludge previously approved under Permit 2011-SC-1354 dated March 7, 2011. The Supplemental Permit included the land application by surface application of approximately 1 million gallons of sludge per year at rates not to exceed the agronomic rates for crops grown in Champaign County ("2013 Supplemental Permit").

3. On September 17, 2013, J & A timely filed a Petition for Review (“Petition”) contesting certain conditions in the 2013 Supplemental Permit.

4. In the Fall of 2013 and early 2014, J & A, the Office of the Attorney General and the Agency engaged in communications and meetings to discuss the issues raised in J & A’s Petition. As a result of those meetings, on June 18, 2014, the Agency issued Operating Permit 2014-SC-58649 to Rantoul that renewed and replaced permit numbers 2011-SC-1354 and 2011-SC-1354-1, which were previously issued to J & A for the application of sludge from its Facility. Due to a few minor drafting errors, J & A requested that two corrections be made to Special Condition 3(B) of Permit 2014-SC-58649, dated June 18, 2014.

5. On July 22, 2014, the Agency issued a “Corrected” Permit 2014-SC-58649, making the two corrections to Special Condition 3(B).

6. As all issues between the parties have been resolved, Petitioner requests that the Board grant this Motion for Voluntary Dismissal and dismiss this appeal.

WHEREFORE, Petitioner, J & A INVESTORS, LLC, respectfully requests that the Board enter an Order dismissing this action.

Respectfully submitted,

J & A INVESTORS, LLC
Petitioner,

Dated: July 25, 2014

By: /s/ Edward W. Dwyer
One of Its Attorneys

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