

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF)	
ILLINOIS,)	
)	
Complainant,)	
)	
vs.)	PCB No. 07-83
)	(Enforcement)
EDELSTEIN WATERWORKS CO-OP.,)	
an Illinois not-for-profit corporation,)	
)	
Respondent.)	

NOTICE OF ELECTRONIC FILING

PLEASE TAKE NOTICE that on August 29, 2014, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, c/o John T. Therriault, Assistant Clerk, James R. Thompson Center, 100 W. Randolph St., Ste. 11-500, Chicago, IL 60601 a MOTION FOR VOLUNTARY DISMISSAL OF COUNTS V-VII a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
LISA MADIGAN,
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: s/Elizabeth Dubats
ELIZABETH DUBATS
Assistant Attorney General
Environmental Bureau

Elizabeth Dubats #6308913
500 South Second Street
Springfield, Illinois 62706
217-782-9031

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF)	
ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB NO. 07-83
)	(Enforcement)
EDELSTEIN WATERWORKS CO-OP., an)	
Illinois not-for-profit corporation ,)	
)	
Respondent.)	

MOTION FOR VOLUNTARY DISMISSAL OF COUNTS V-VII

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and pursuant to Section 2-1009 of the Illinois Code of Civil Procedure, 735 ILCS 5/2-1009 (2012), moves to voluntarily dismiss without prejudice Counts V, VI, and VII of the action against Respondent, EDELSTEIN WATERWORKS CO-OP., and states as follows:

1. On March 5, 2007 the Office of the Attorney General, on behalf of the People of the State of Illinois, filed a seven-count Complaint with the Illinois Pollution Control Board ("Board") to seek enforcement and penalties for violations at the Respondent's facility in Edelstein Illinois.

2. On August 12, 2014, Complainant and Respondent filed a Stipulation and Proposed Settlement addressing Counts I-IV of the Complaint.

3. On August 21, 2014, the Board issued an order directing parties to provide additional information regarding the proposed settlement.

4. Parties agree that the violations that are the subject of Counts V-VII have been resolved and that their omission from the August 12, 2014 Stipulation was inadvertent.

5. Complainant moves to voluntarily dismiss Counts V-VII, thereby settling the matter on the terms of the August 12, 2014 Stipulation, and in resolution of all counts of the Complaint filed herein.

WHEREFORE, the Complainant prays that the Board enter an order of voluntary dismissal of Counts V-VII with prejudice in this cause.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,

LISA MADIGAN,
Attorney General
of the State of Illinois,

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: s/Elizabeth Dubats
Elizabeth Dubats
Assistant Attorney General

Elizabeth Dubats
Assistant Attorney General
500 South Second Street
Springfield, Illinois 62706
217/557-0586
Dated: August 29, 2014

CERTIFICATE OF SERVICE

I hereby certify that I did on August 29, 2014, cause to be served by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois, a true and correct copy of the following instruments entitled NOTICE OF ELECTRONIC FILING and MOTION FOR VOLUNTARY DISMISSAL OF COUNTS V-VII upon the following:

David Stammerjohn
Edelstein Waterworks Co-op
2714 West Streitmatter
Edelstein, IL 61526-9516

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Springfield, IL 62794

s/Elizabeth Dubats
ELIZABETH DUBATS
Assistant Attorney General

This filing is submitted on recycled paper.