

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

NIEBRUGGE OIL COMPANY,	)	
Petitioner,	)	
v.	)	PCB 2010-37
	)	(LUST Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
Respondent.	)	

**NOTICE OF FILING AND PROOF OF SERVICE**

To:	Carol Webb, Hearing Officer	Melanie Jarvis
	Illinois Pollution Control Board	Illinois Environmental Protection Agency
	1021 North Grand Avenue East	1021 North Grand Avenue East
	P.O. Box 19274	P.O. Box 19276
	Springfield, IL 62794-9274	Springfield, IL 62794-9276

John T. Therriault, Clerk  
Illinois Pollution Control Board  
100 West Randolph Street  
State of Illinois Building, Suite 11-500  
Chicago, IL 60601

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board, pursuant to Board Procedural Rule 101.302 (d), PETITIONER'S MOTION TO DISMISS, a copy of which is herewith served upon the attorneys of record in this cause.

The undersigned hereby certifies that a true and correct copy of this Notice of Filing, together with a copy of the document described above, were today served upon counsel of record of all parties to this cause by enclosing same in envelopes addressed to such attorneys with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office Mailbox in Springfield, Illinois on the 6<sup>th</sup> day of November, 2015.

Respectfully submitted,  
NIEBRUGGE OIL COMPANY, Petitioner

BY: LAW OFFICE OF PATRICK D. SHAW

BY: /s/ Patrick D. Shaw

Patrick D. Shaw  
LAW OFFICE OF PATRICK D. SHAW  
80 Bellerive Road  
Springfield, IL 62704  
Telephone: 217/299-8484

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NIEBRUGGE OIL COMPANY,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 2010-37
	)	(LUST Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**PETITIONER'S MOTION TO DISMISS**

NOW COMES Petitioner, NIEBRUGGE OIL COMPANY, by its undersigned attorney, pursuant to Section 101.500 of the Board's Procedural Rules and asks the Board to dismiss this UST appeal, stating as follows:

1. During the pendency of this UST appeal, the parties have been able to resolve their disagreements.
2. Accordingly, Petitioner no longer seeks to appeal the Respondent's UST decision.

WHEREFORE, Petitioner prays for an Order from the Board dismissing this matter and closing the docket.

NIEBRUGGE OIL COMPANY,  
Petitioner

By its attorney,  
LAW OFFICE OF PATRICK D. SHAW

By: /s/ Patrick D. Shaw

Patrick D. Shaw  
LAW OFFICE OF PATRICK D. SHAW  
80 Bellerive Road  
Springfield, IL 62704  
Telephone: 217/299-8484

THIS FILING IS SUBMITTED ON RECYCLED PAPER