

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

NIEBRUGGE OIL COMPANY,)	
Petitioner,)	
v.)	PCB 2010-40
)	(LUST Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
Respondent.)	

NOTICE OF FILING AND PROOF OF SERVICE

To:	Carol Webb, Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19274 Springfield, IL 62794-9274	Melanie Jarvis Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276
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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 6th day of November, 2015.

Respectfully submitted,
NIEBRUGGE OIL COMPANY, Petitioner

BY: LAW OFFICE OF PATRICK D. SHAW

BY: /s/ Patrick D. Shaw

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Telephone: 217/299-8484

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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

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THIS FILING IS SUBMITTED ON RECYCLED PAPER