

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CLINTON LANDFILL, INC.,	)	PCB 2015-060
	)	PCB 2015-076
Petitioner,	)	PCB 2015-111
	)	PCB 2015-113
v.	)	PCB 2015-166
	)	PCB 2015-194
ILLINOIS ENVIRONMENTAL	)	PCB 2015-195
PROTECTION AGENCY,	)	PCB 2015-207
	)	PCB 2016-034
Respondent.	)	PCB 2016-059 (cons.)
	)	(Permit Appeals)

NOTICE OF ELECTRONIC FILING

TO: All Parties of Record

PLEASE TAKE NOTICE that on November 16, 2015, I filed the following documents electronically with the Clerk of the Pollution Control Board of the State of Illinois:

1. Unopposed Motion to Dismiss Voluntarily; and
2. This Notice of Electronic Filing

Copies of the above-listed documents were served upon you in the manner stated in the Certificate of Service attached hereto.

Respectfully submitted,

CLINTON LANDFILL, INC.,
Petitioner

By: 
One of its attorneys

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915-1083

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UNOPPOSED MOTION TO DISMISS VOLUNTARILY

NOW COMES the Petitioner, Clinton Landfill, Inc. (“CLI”), by and through its undersigned attorneys, and as and for its Unopposed Motion to Dismiss these consolidated cases voluntarily, states as follows:

1. On August 28, 2014, CLI filed a Petition for Review of Modification No. 47 to Permit No. 2005-070-LF, which was issued by the Agency on July 31, 2014, with the Pollution Control Board (the “Board”). The case was docketed as PCB 2015-060.

2. During the pendency of PCB 2015-060, the Agency issued a number of subsequent modifications to Permit No. 2005-070-LF, each of which incorporated the changes made in Modification No. 47. CLI filed for review of each subsequent modification to Permit No. 2005-070-LF as to the changes that were made in Modification No. 47. CLI and the Agency filed joint motions to consolidate each of these cases with PCB 2015-060, all of which motions the Board granted.

3. On November 12, 2015, the case of PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* LISA MADIGAN, Attorney General of the State of Illinois vs. CLINTON LANDFILL, INC., Case No. 2015 CH 46, was filed in the Circuit Court of DeWitt County, Illinois. Also on

November 12, 2015, a Consent Order was entered by agreement, resolving the issues in that case and in these consolidated cases. (CLI made no admissions of liability whatsoever in the Consent Order, and makes none herein).

4. Pursuant to the Consent Order, “[w]ithin seven (7) days of entry of this Consent Order, CLI shall move to dismiss the permit appeals currently pending before the Board, Clinton Landfill, Inc. v. Illinois Environmental Protection Agency, Case Nos. PCB 15-60, PCB 15-76, PCB 15-111, PCB 15-113, PCB 15-166, PCB 15-194, PCB 15-195, PCB 15-207, PCB 16-34, and PCB 16-59.”

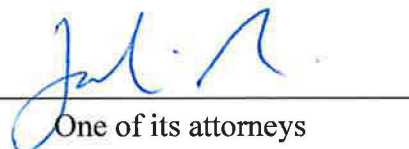
5. The Respondent in these consolidated permit appeals does not oppose this Motion to Dismiss Voluntarily.

WHEREFORE, CLI respectfully requests that the Board dismisses these consolidated cases on the voluntary motion of CLI.

Respectfully submitted,

CLINTON LANDFILL, INC.,
Petitioner

By: _____


One of its attorneys

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CERTIFICATE OF SERVICE

The undersigned certifies that on November 16, 2015, the foregoing documents will be served upon each party to this case in the following manner:

X EMAIL ~~with confirmation by United States Mail~~ ONLY

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