ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
Commission)	
Complainant,)	
V.)	PCB 07-132
)	(Enforcement - Land)
C. GRANTHAM COMPANY.)	
an involuntarily dissolved Illinois corporation,)	
)	
Respondent.)	

NOTICE OF FILING and SERVICE

TO: Carol Webb Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19274 Springfield, Illinois 62794-9274

Please take notice that today, July 5, 2017, I have filed Complainant's Voluntary Motion to Dismiss without Prejudice with the Clerk of the Illinois Pollution Control Board, and have served the person listed on the attached service list with a copy of the same.

Respectfully Submitted,

By: s/ Ellen O'Laughlin
ELLEN O'LAUGHLIN
Assistant Attorneys General
Environmental Bureau
69 W. Washington, 18th Floor
Chicago, Illinois 60602
(312) 814-3094
eolaughlin@atg.state.il.us
mccaccio@atg.state.il.us

CERTIFICATE OF SERVICE

I, Ellen F. O'Laughlin, an Assistant Attorney General, do hereby certify that, today, July 5, 2017, I caused to be served on the individual listed below, by electronic mail, a true and correct copy of Complainant's Voluntary Motion to Dismiss without Prejudice.

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

Respectfully Submitted,

PEOPLE OF THE STATE OF ILLINOIS *ex rel*. LISA MADIGAN, Attorney General of the State of Illinois

BY: s/ Ellen O'Laughlin
Ellen O'Laughlin
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, 18th Floor
Chicago, Illinois 60602
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ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
Complainant,)
v.) PCB 07-132) (Enforcement - Land)
C. GRANTHAM COMPANY, an involuntarily dissolved Illinois corporation,)))
Respondent.)

COMPLAINANT'S VOLUNTARY MOTION TO DISMISS WITHOUT PREJUDICE

Complainant, PEOPLE OF THE STATE OF ILLINOIS moves to dismiss this action against Respondent, C. GRANTHAM COMPANY ("C. Grantham"), without prejudice and without costs pursuant to 735 ILCS 5/2-1009 and 735 ILCS 5/5-117. In support thereof, Complainant states as follows:

- 1. On June 8, 2007, Complainant, the People of the State of Illinois, by Lisa Madigan, Attorney General of Illinois, on her own motion and at the request of the Illinois Environmental Protection Agency, filed its four count Complaint in case No. PCB 07-132.
- 2. The Complaint pertains to C. Grantham's former truck terminal at 7401 Bunkum Road, East St. Louis, St. Clair County and alleges that C. Grantham violated Sections 21(j), 21(k), 21(p)(5), 55(a)(4), 55(c), 55(d)(1), 55(e), and 55.6(b) of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/21(j), 21(k), 21(p)(5), 55(a)(4), 55(c), 55(d)(1), 55(e), and 55.6(b) (2006)) and Section 809.201 of the Illinois Pollution Control Board's Solid Waste and Special Waste Hauling Regulations and Section 848.202(b)(2) of the Illinois Pollution Control Board's Used and Waste Tire Regulations 35 Ill. Adm. Code 809.201 and 848.202(b)(2), (5).

The Plaintiff alleges that C. Grantham violated these provisions by hauling special waste without a permit and collected used waste tires at its site.

- 3. The Respondent C. Grantham was dissolved April 9, 2010, more than five years ago.
 - 4. There is no known service address for Respondent.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Illinois Pollution Control Board dismiss this action against C. GRANTHAM COMPANY, without prejudice and without costs.

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

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

ELIZABETH WALLACE, Chief Environmental Bureau North

BY: /s/ Ellen O' Laughlin
Ellen O'Laughlin
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
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ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)		
Complainant,)		
v. C. GRANTHAM COMPANY, INC. an involuntarily dissolved Illinois corporation, Respondent.) PCB 07-132) (Enforcement - Land))		
<u>ORDER</u>			
This cause coming before the Illinois Pollution Control Board, being fully advised of the			
premises, and having jurisdiction of the subject matter, IT IS HEREBY ORDERED:			
1. Complainant's Motion for Voluntary Dismissal without prejudice is GRANTED;			
2. That this case is hereby dismissed without prejudice; and,			
3. Each party is to bear its own costs in the litigation of this case.			

ENTERED_

Prepared By:

Ellen O'Laughlin Assistant Attorney General Environmental Bureau Illinois Attorney General's Office 69 W. Washington Street, 18th Floor Chicago, Illinois 60602 (312) 814-3094