

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>ELECTRIC ENERGY, INC.</b>	)	
<b>(JOPPA ENERGY CENTER),</b>	)	
	)	
	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>PCB 16-45</b>
<b>ILLINOIS ENVIRONMENTAL PROTECTION</b>	)	<b>(NPDES Permit Appeal)</b>
<b>AGENCY</b>	)	
	)	
	)	
<b>Respondent.</b>	)	

**NOTICE OF FILING**

To: ALL PARTIES ON THE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that today I have electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **VOLUNTARY MOTION TO DISMISS**, copies of which are herewith served upon you.

Respectfully submitted,

/s/ Amy Antonioli

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Joshua R. More  
Amy Antonioli  
SCHIFF HARDIN, LLP  
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Dated: August 14, 2017

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>ELECTRIC ENERGY, INC.</b>	)	
<b>(JOPPA ENERGY CENTER),</b>	)	
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<b>Petitioner,</b>	)	
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<b>v.</b>	)	
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<b>ILLINOIS ENVIRONMENTAL PROTECTION</b>	)	<b>(NPDES Permit Appeal)</b>
<b>AGENCY</b>	)	
	)	
	)	
<b>Respondent.</b>	)	

**VOLUNTARY MOTION TO DISMISS**

Petitioner Electric Energy, Inc. (“EEI”), by and through its attorneys, SCHIFF HARDIN LLP, pursuant to 35 Ill. Adm. Code 101.500 of the Illinois Pollution Control Board’s (“Board’s”) procedural rules (35 Ill. Adm. Code 101.500) and asks the Board to dismiss this National Pollutant Discharge Elimination System (NPDES) permit appeal, stating as follows:

1. On September 3, 2015, Petitioner filed a petition for review of NPDES Permit No. IL0004171 (NPDES Permit), dated July 30, 2015, for the Joppa Energy Center, challenging certain conditions of the permit.
2. The Board stayed the effectiveness of the contested conditions of the NPDES Permit pending the final resolution of the appeal.
3. On July 26, 2017, IEPA issued a modified version of the NPDES Permit, pursuant to agreement of the parties that addressed the issues raised in the appeal.

WHEREFORE, Petitioner EEI respectfully requests that the Illinois Pollution Control Board dismiss this matter and close the docket.

Electric Energy, Inc.

Respectfully submitted,

*/s/ Amy Antonioli*

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Amy Antonioli

Dated: August 14, 2016

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**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on this 14<sup>th</sup> day of August, 2017:

I have electronically served a true and correct copy of the attached **VOLUNTARY MOTION TO DISMISS**, on behalf of Electric Energy, Inc., upon the following:

Carol Webb  
Illinois Pollution Control Board, Hearing Officer  
[Carol.webb@illinois.gov](mailto:Carol.webb@illinois.gov)

My e-mail address is [aantonioli@schiffhardin.com](mailto:aantonioli@schiffhardin.com);  
The number of pages in the e-mail transmission is 4.  
The e-mail transmission took place before 5:00 p.m.

I further certify that I have served a true and correct copy of the attached **VOLUNTARY MOTION TO DISMISS**, on behalf of Electric Energy, Inc., by first class mail, postage affixed, upon:

Elizabeth Dubats  
Assistant Attorney General  
Office of the Attorney General  
500 South Second Street  
Springfield, IL 62706

Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

*/s/ Amy Antonioli*

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Amy Antonioli

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