

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

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PRAIRIE RIVERS NETWORK and SIERRA CLUB	)	
	)	
Petitioners,	)	
	)	
v.	)	PCB 06-124
	)	(NPDES Permit Appeal)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY and PRAIRIE STATE GENERATING COMPANY, LLC	)	
	)	
Respondents	)	

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AMERICAN BOTTOM CONSERVANCY and DALE WOJTKOWSKI,	)	
	)	
Petitioners,	)	
	)	
v.	)	PCB 06-127
	)	(NPDES Permit Appeal)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY and PRAIRIE STATE GENERATING COMPANY, LLC	)	
	)	
Respondents	)	

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**PETITIONERS' MOTION FOR VOLUNTARY DISMISSAL WITH PREJUDICE**

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Petitioners, American Bottom Conservancy and Dale Wojtkowski (collectively, "ABC"), by and through their attorney, Penni Livingston, hereby move the Board to GRANT this Motion to Voluntarily Dismiss with prejudice ABC's petition for review of Respondent Illinois Environmental Protection Agency's decision to issue NPDES Permit No. IL0076996 to Respondent Prairie State Generating Company, LLC, which petition is the subject of Case No. 06-127, for the reason that ABC and Respondents have heretofore settled issues

STLD01-1217698-1

between them regarding the matters that are the subject of ABC's Petition. Respondents have represented to ABC that they will not file a response to this Motion.

WHEREFORE, ABC respectfully requests this Board to GRANT Petitioners' Motion For Voluntary Dismissal With Prejudice and to DISMISS with prejudice ABC's petition that is the subject of Case No. 06-127.

Date: \_\_\_\_\_, 2006

Respectfully submitted,

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WOJTKOWSKI

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that copies of the foregoing Petitioners' Motion For Voluntary Dismissal With Prejudice have been deposited in the U.S. Mail, first class postage prepaid, this 14th day of March, 2006, in envelopes addressed to:

Board

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