

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

LAKE IN THE HILLS SANITARY DISTRICT,
Petitioner,
vs.
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,
Respondent.

No. PCB 05 - 12
(Permit Appeal - Water)

RECEIVED
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JUN 16 2006
STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING

TO: Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, IL 60601

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

PLEASE TAKE NOTICE that on June 15, 2006, we caused to be filed with the Illinois Pollution Control Board, 100 West Randolph St., James R. Thompson Center, Suite 11-500, Chicago, IL 60601 the attached Lake in the Hills Sanitary District's Motion for Voluntary Dismissal with Prejudice in the above entitled matter.

LAKE IN THE HILLS SANITARY DISTRICT

By: [Signature]
Robert W. Fetzner

PROOF OF SERVICE

The undersigned, a non-attorney, hereby swears under oath that she served a copy of the foregoing upon the following parties by depositing same in the U.S. mail, with postage prepaid, at Crystal Lake, Illinois, this 15 day of June 2006.

[Signature]

SUBSCRIBED AND SWORN to before me this 15th day of June 2006.

[Signature]
Notary Public

Robert W. Fetzner, Atty. No: 06274910
ZUKOWSKI, ROGERS, FLOOD & MCARDLE
50 Virginia Street
Crystal Lake, IL 60014
(815) 459-2050



COPY

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PETITIONER'S MOTION FOR VOLUNTARY DISMISSAL WITH PREJUDICE

Petitioner, LAKE IN THE HILLS SANITARY DISTRICT, by and through its attorneys, ZUKOWSKI, ROGERS, FLOOD & McARDLE, hereby voluntarily moves the Board to dismiss with prejudice, the Lake in the Hills Sanitary District's Petition for Review of Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY's ("IEPA") decision to issue NPDES Permit Number 2004-SC-0639 to Petitioner, Lake in the Hills Sanitary District, which petition is the subject of Case Number PCB05-12, for the reason that the Lake in the Hills Sanitary District and the IEPA have heretofore settled all issues between them regarding the matters that are the subject of the Lake in the Hills Sanitary District's Petition. Respondent's have represented to the Lake in the Hills Sanitary District that they will not file a response to this motion.

WHEREFORE, Petitioner, LAKE IN THE HILLS SANITARY DISTRICT respectfully requests the Board to grant Petitioner's Motion for Voluntary Dismissal with Prejudice and to dismiss with prejudice the Lake in the Hills Sanitary District's Petition that is the subject of Case Number PCB05-12.

DATE: 6/15/06

Respectfully submitted,
LAKE IN THE HILLS SANITARY DISTRICT
By: ZUKOWSKI, ROGERS, FLOOD & McARDLE

By: 
Robert W. Fetzner

Robert W. Fetzner, Atty No. 06274910
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