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JUN 30 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD STATE OF ILLINOIS
Pollution Control Board

ST. FRANCIS PET CREMATORY &)
KENNELS, INC., an Illinois Corporation,)

Petitioner,)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

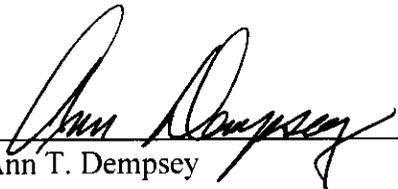
Respondent.)

PCB 06-13
(Permit Appeal-Land)

NOTICE OF FILING

TO: Ms. Melanie Jarvis
Division of 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 27, 2006, the undersigned caused to be filed with the Clerk of the Illinois Pollution Control Board Petitioner's Motion to Dismiss, a copy of which is herewith served upon you.


Ann T. Dempsey

Ann T. Dempsey, ARDC # 06208364
Oliver, Close, Worden,
Winkler & Greenwald LLC
124 N. Water St., Suite 300
P.O. Box 4749
Rockford, IL 61110-4749

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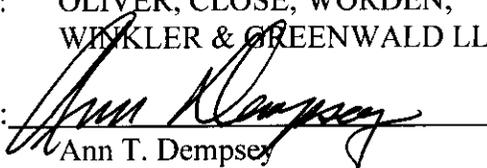
MOTION TO DISMISS

Petitioner, St. Francis Pet Crematory & Kennels, Inc., an Illinois Corporation ("St. Francis"), by and through its attorneys, Oliver, Close, Worden, Winkler & Greenwald LLC, respectfully requests the Illinois Pollution Control Board ("Board") to dismiss the above proceedings. St. Francis received siting approval from Winnebago County on December 22, 2005 and Supplemental Permit from Respondent on May 2, 2006. Based on the issuance of a permit by Respondent, there is no reason for St. Francis to continue this appeal. The IEPA has no objection to dismissing this appeal.

WHEREFORE, for the reasons stated in this motion, the Petitioner respectfully requests the Board to dismiss this appeal.

ST. FRANCIS PET CREMATORY and
KENNELS, INC., Petitioner,

Ann T. Dempsey
ARDC # 06208364
Oliver, Close, Worden,
Winkler & Greenwald LLC
124 N. Water St., Suite 300
P.O. Box 4749
Rockford, IL 61110-4749

By: OLIVER, CLOSE, WORDEN,
WINKLER & GREENWALD LLC
By: 
Ann T. Dempsey

ORIGINAL
CERTIFICATE OF SERVICE

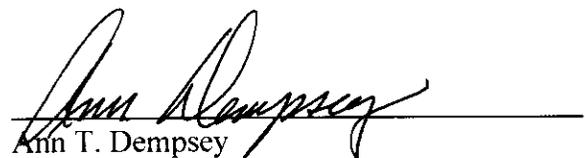
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STATE OF ILLINOIS
Pollution Control Board

I, the undersigned, certify that I have served the attached Notice of Filing by depositing a copy of said document in the United States Mail at Rockford, Illinois on June 27th, 2006, on or about the hour of 5:00 p.m., enclosed in an envelope, postage fully prepaid, addressed to each of the following persons:

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


Ann T. Dempsey

Ann T. Dempsey, ARDC # 06208364
Oliver, Close, Worden,
Winkler & Greenwald LLC
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Rockford, IL 61110-4749

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OLIVER, CLOSE, WORDEN, WINKLER & GREENWALD LLC
LAWYERS

STATE OF ILLINOIS
Pollution Control Board

Robert J. Oliver*
Curtis D. Worden*
Karl F. Winkler
Thomas E. Greenwald*
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Of Counsel
Henry J. Close

*Admitted to Practice
in Illinois and Wisconsin

*Admitted to Practice
in Illinois, New York
and Wisconsin

June 27, 2006

Sent Certified Mail, Return Receipt Requested

Dorothy M. Gunn
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

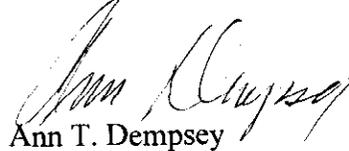
**Re: St. Francis Pet Crematory & Kennels, Inc.
v. Illinois Environmental Protection Agency
Docket No. PCB 06-13 (Permit Appeal - Land)**

Dear Ms. Gunn:

Enclosed for filing, on behalf of the Petitioner, St. Francis Pet Crematory & Kennels, Inc., please find a Notice of Filing and Motion to Dismiss the above-referenced matter.

Respectfully submitted,

OLIVER, CLOSE, WORDEN,
WINKLER & GREENWALD LLC


Ann T. Dempsey

ATD:nmc

cc: Mr. Thomas G. Carroll
Attorney Melanie Jarvis