

ILLINOIS POLLUTION CONTROL BOARD  
December 20, 2001

ENVIRONMENTAL SITE DEVELOPERS, )  
INC., an Illinois corporation, )  
 )  
Complainant, )  
 )  
v. ) PCB 96-180  
 ) (Citizens Enforcement – Water)  
WHITE & BREWER TRUCKING, INC., an )  
Illinois corporation, )  
 )  
Respondent. )

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WHITE & BREWER TRUCKING, INC., an )  
Illinois corporation, )  
 )  
Counter-Complainant, )  
 )  
v. ) PCB 96-180  
 ) (Citizens Enforcement – Water)  
ENVIRONMENTAL SITE DEVELOPERS, ) (Counterclaim)  
INC., an Illinois corporation, )  
 )  
Counter-Respondent. )

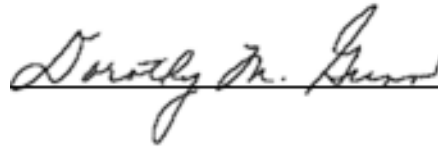
ORDER OF THE BOARD (by T.E. Johnson):

On February 13, 1996 Environmental Site Developers, Inc. (ESDI) filed a complaint before the Board. The complaint alleged that White & Brewer Trucking, Inc. (White & Brewer) violated Sections 12 and 21 of the Illinois Environmental Protection Act (Act). 415 ILCS 5/12,21 (2000). ESDI alleged the violations resulted from White & Brewers ownership and operation of a landfill located south of Coffeen in Montgomery County. On August 1, 1997, White & Brewer filed a counterclaim before the Board. The counterclaim alleged that ESDI had violated Sections 12 and 21 of the Act (415 ILCS 5/12,21) (2000)) during ESDI's ownership and operation of the landfill from 1977 through 1990.

On December 14, 2001, the parties filed a joint motion for voluntary dismissal. In the motion, the parties asserted that they have determined to dismiss all claims in the above captioned matter, and that each party will bear its own costs. The parties request that the Board dismiss both the complaint and counterclaim with prejudice. The motion is granted. Both the complaint and the counterclaim are dismissed with prejudice, and the docket is closed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on December 20, 2001, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board