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MAR 13 2007

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
THE STATE OF ILLINOIS

STATE OF ILLINOIS
Pollution Control Board

CITY OF GENEVA)	
)	
Petitioner,)	
)	
v.)	PCB 2007-039
)	NPDES Permit Appeal
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
)	
Respondent)	

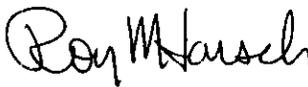
NOTICE OF FILING

TO: Clerk, Illinois Pollution Control Board	Sonjay Sofat
State of Illinois Center	Illinois Environmental Protection Agency
100 West Randolph Street	1021 N. Grand Avenue East
Suite 11-500	Springfield, IL 62794-9276
Chicago, IL 60601	

PLEASE TAKE NOTICE that on Tuesday, March 13, 2007, we filed the attached **Motion to Withdraw Petition for NPDES Permit Appeal** with the Clerk of the Illinois Pollution Control Board, a copy of which is herewith served upon you.

Respectfully submitted,

THE CITY OF GENEVA

By: 
One of Its Attorneys

Roy M. Harsch
DRINKER BIDDLE GARDNER CARTON
191 North Wacker Drive - Suite 3700
Chicago, Illinois 60606
(T) (312) 569-1441
(F) (312) 569-3441

THIS FILING IS SUBMITTED ON RECYCLED PAPER

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ILLINOIS ENVIRONMENTAL)	
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Respondent)	

MOTION TO WITHDRAW THE PETITION FOR NPDES PERMIT APPEAL

The City of Geneva ("City"), by its attorneys Drinker Biddle Gardner Carton petitions the Illinois Pollution Control Board ("Board") to allow the City to withdraw the above captioned matter. In support, the City states as follows:

1. On October 13, 2006, the Illinois EPA issued final NPDES Permit No. IL0020087 ("Permit") for the City's Wastewater Treatment Plant ("Plant"). At the request of the City, the Illinois EPA submitted a request for an extension of the appeal period for 90 days to allow discussion and potential resolution of concerns that the City had with its ability to meet permit conditions governing dissolved oxygen and copper limitations. By Order dated December 7, 2006, the Board granted the extension through February 15, 2007. On February 14, 2007 the City filed its formal NPDES Permit Appeal.

2. During negotiations between the City and the IEPA it was agreed that the IEPA would agree to propose a modification of NPDES Permit No. IL0020087. Following the closure of the Public Comment Period, the IEPA informed the City that it is prepared to issue the agreed upon modified NPDES Permit No. IL0020087 after the filing of this Motion to Withdraw the Petition by the City.

3. Because the agreed upon modified NPDES Permit resolves all of the issues presented in this proceeding, the City does not have any reason to proceed with this appeal.

WHEREFORE, the City respectfully requests the Board to allow the City to withdraw this NPDES Permit Appeal for the reasons set forth herein.

Respectfully submitted,

CITY OF GENEVA

A handwritten signature in black ink that reads "Roy M. Harsch". The signature is written in a cursive style with a large, stylized "R" and "H".

One of Its Attorneys

Roy M. Harsch
DRINKER BIDDLE GARDNER CARTON
191 North Wacker Drive - Suite 3700
Chicago, Illinois 60606
(T) (312) 569-1441
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing **Notice of Filing and Motion to Withdraw the Petition for NPDES Permit Appeal** was filed by electronically with the Clerk of the Illinois Pollution Control Board and served upon the parties to whom said Notice is directed by first class mail, postage prepaid, by depositing in the U.S. Mail at 191 N. Wacker Drive – Suite 3700, Chicago, IL 60606 on Tuesday, March 13, 2007.



Roy M. Harsch

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