

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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JUN 08 2007

STATE OF ILLINOIS
Pollution Control Board

THE ESTATE OF GERALD HESS,)
)
Petitioner,)
)
v.) PCB 06-09
) (UST Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)

NOTICE OF FILING

TO: William Ingersoll Carol Webb
Special Assistant Attorney General Hearing Officer
Illinois Environmental Protection Agency Illinois Pollution Control Board
1021 North Grand Avenue East 1021 North Grand Avenue East
P.O. Box 19276 P.O. Box 19274
Springfield, Illinois 62794-9276 Springfield, Illinois 62794-9274

PLEASE TAKE NOTICE that on June 8, 2007, filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois an original, executed copy of a Motion to Dismiss.

Dated: June 8, 2007

Respectfully submitted,

The Estate of Gerald Hess

By: Carolyn S Hesse
One of Its Attorneys

Carolyn S. Hesse
Barnes & Thornburg LLP
One North Wacker Drive
Suite 4400
Chicago, Illinois 60606
(312) 357-1313
401609v1

CERTIFICATE OF SERVICE

I, on oath state that I have served the attached Motion to Dismiss by placing a copy in an envelope addressed to:

William Ingersoll
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274

from One North Wacker Drive, Suite 4400, Chicago, Illinois, before the hour of 5:00 p.m., on this 8th day of June 2007.



Carolyn S. Hesse

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MOTION TO DISMISS

Now comes Petitioner, The Estate of Gerald Hess, and respectfully requests that the Illinois Pollution Control Board dismiss the above-captioned matter. The Respondent, Illinois Environmental Protection Agency and Petitioner resolved the issues in dispute.

Wherefore, Petitioner respectfully requests that the Board dismiss this matter.

Dated: June 8, 2007

Respectfully submitted,

Estate of Gerald Hess

By: Carolyn S Hesse
One of Its Attorneys

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