

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

LOWE OIL (Robert and Tony Thompson))	
)	
Petitioner,)	
)	
v.)	PCB No. 07-125
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO:	Melanie Jarvis	Carol Webb
	Illinois Environmental Protection Agency	Hearing Officer
	1021 North Grand Avenue East	Illinois Pollution Control Board
	P.O. Box 19276	1021 North Grand Avenue East
	Springfield, Illinois 62794-9276	P.O. Box 19274
		Springfield, Illinois 62794-9274

PLEASE TAKE NOTICE that on January 18, 2008, filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois an original, executed copies of a Motion to Dismiss.

Dated: January 18, 2008

Respectfully submitted,

Lowe Oil (Robert and Tony Thompson)

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
444388v1

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:

Melanie Jarvis
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 18th Day of January, 2008.


Carolyn S. Hesse

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MOTION TO DISMISS

Now comes Petitioner, Lowe Oil (Robert and Tony Thompson), 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: January 18, 2008

Respectfully submitted,

Lowe Oil (Robert and Tony Thompson)

By: Carolyn S. Hesse
One of Its Attorneys

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