

ILLINOIS POLLUTION CONTROL BOARD
June 19, 2008

CITY OF JOLIET,)	
)	
Petitioner,)	
)	
v.)	PCB 07-94
)	(Permit Appeal - Water)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by A.S. Moore):

On February 16, 2007, the Illinois Environmental Protection Agency (Agency) issued to the City of Joliet (City) a modified sewage sludge permit including eight special conditions, one of which the City specifically contested. On March 21, 2007, the City filed with the Board a petition for review of that specific contested condition. *See* 415 ILCS 5/40(a)(1) (2006).

On June 6, 2008, the City filed a motion to withdraw this permit appeal (Mot.). The City states that it “needs to request a modification to its permit” and that it “has also discussed withdrawal of this permit appeal” with counsel for the Agency. Mot. at 1. The City further states that the Agency will not file a response or objection to this motion to withdraw. Mot. at 2. The City requests voluntary withdrawal of this appeal without prejudice. *Id.*

The Board cannot dismiss this permit appeal without prejudice. *See* 415 ILCS 5/40(a)(1) (2006) (setting 35-day appeal period). Accordingly, the Board grants the City’s motion but dismisses the appeal with prejudice and closes the docket.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 19, 2008, by a vote of 4-0.



John T. Therriault, Assistant Clerk
Illinois Pollution Control Board