

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

DALEE OIL COMPANY,	)	
<i>Petitioner,</i>	)	
	)	
v.	)	PCB No. 08-16
	)	(LUST APPEAL)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
<i>Respondent.</i>	)	

**PETITIONER'S MOTION TO DISMISS THE APPEAL**

Pursuant to Board Rule 105.108(e), 35 ILL. ADM. CODE § 105.108(e), and to the agreement of counsel, petitioner Dalee Oil Company ("Dalee") by its attorneys in this regard, The Sharp Law Firm, P.C., moves for dismissal of the above-captioned appeal.

In support, Dalee states that the parties are in agreement to dismiss the matter, which constitutes other grounds that bar the petitioner from proceeding under Rule 105.108(e).

September 8, 2008

DALEE OIL COMPANY

By:   
One of its Attorneys

John T. Hundley  
Mandy L. Combs  
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*Counsel for Petitioner Dalee Oil Company*

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that I served the foregoing document upon all persons entitled to same by causing copies to be deposited in the United States Post Office mailbox at 14th and Main Streets, Mt. Vernon, IL, before 6:00 p.m. this date, in envelopes with proper first- class postage affixed, addressed as follows:

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

James G. Richardson, Esq.  
Illinois Environmental Protection Agency  
1021 N. Grand Ave. East  
Springfield, IL 62702

Hon. Carol Webb  
Illinois Pollution Control Board  
1021 N. Grand Ave. East  
P.O. Box 19274  
Springfield, IL 62794

September 8, 2008

  
Mandy L. Combs

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