



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SAINT-GOBAIN CONTAINERS, INC.,	)	
a Delaware corporation,	)	
	)	
Petitioner,	)	
v.	)	PCB No. 2004-047
	)	(CAAPP Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**MOTION FOR VOLUNTARY DISMISSAL**

NOW COMES Petitioner, SAINT-GOBAIN CONTAINERS, INC., (“Petitioner”), by and through its attorneys, HODGE DWYER & DRIVER, pursuant to 35 Ill. Adm. Code § 101.500, and moves the Illinois Pollution Control Board (“Board”) to dismiss this action. In support of this Motion, Petitioner states as follows:

1. On September 30, 2003, Petitioner timely filed a Petition for Review of the Clean Air Act Permit Program permit granted to Petitioner by the Illinois Environmental Protection Agency (“Agency”) on August 26, 2003.

2. On January 22, 2010, following negotiation and settlement discussions between the parties, the Agency issued a revised CAAPP permit to the Petitioner. The issuance of this revised CAAPP permit resolves the above-referenced appeal.

3. As all issues between the parties in this case have been resolved, Petitioner requests that the Board grant this Motion for Voluntary Dismissal and dismiss this appeal.

WHEREFORE, Petitioner, SAINT-GOBAIN CONTAINERS, INC., respectfully requests that the Board enter an Order dismissing this action.

Respectfully submitted,

SAINT-GOBAIN CONTAINERS, INC.  
Petitioner,

By: /s/ N. LaDonna Driver  
N. LaDonna Driver

Dated: May 17, 2010

N. LaDonna Driver  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

**CERTIFICATE OF SERVICE**

I, N. LaDonna Driver, the undersigned, hereby certify that I have served the attached

MOTION FOR VOLUNTARY DISMISSAL upon:

Mr. John Therriault  
Assistant Clerk  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

via electronic mail on May 14, 2010; and upon:

Dennis E. Brown, Esq.  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276 – Mail Code #21  
Springfield, Illinois 62794-9276

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

Stephen J. Janasie, Esq.  
Environmental Bureau  
Office of the Attorney General  
State of Illinois  
500 South Second Street  
Springfield, IL 62706

by depositing said documents in the United States Mail, postage prepaid, in Springfield,  
Illinois on May 14, 2010.

/s/N. LaDonna Driver  
N. LaDonna Driver