

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NORTH SHORE SANITARY )  
 DISTRICT, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Respondent. )

PCB 03-146  
 (Permit Appeal)

**RECEIVED**  
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 MAY 13 2003  
 STATE OF ILLINOIS  
 Pollution Control Board

NOTICE OF FILING AND PROOF OF SERVICE

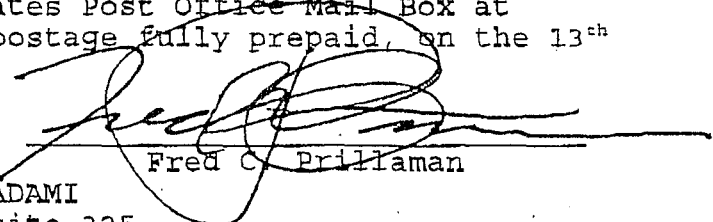
TO: Dorothy Gunn, Clerk  
 Illinois Pollution Control Board  
 James R. Thompson Center  
 100 W. Randolph, Suite 11-500  
 Chicago, IL 60601-3218

Bradley P. Halloran  
 Hearing Officer  
 James R. Thompson Center  
 100 West Randolph Street  
 Suite 11-500  
 Chicago, IL 60601

Robb H. Layman  
 Illinois Environmental Protection Agency  
 Division of Legal Counsel  
 1021 North Grand Avenue East  
 P.O. Box 19276  
 Springfield, IL 62794-9276

PLEASE TAKE NOTICE that on May 13, 2003, we sent to the Clerk of the Illinois Pollution Control Board; via facsimile transmission with special permission granted by Bradley P. Halloran, Hearing Officer, a copy of Motion to Dismiss, and the original and nine (9) copies each, via Fed Ex, of Motion to Dismiss for filing in the above-entitled cause, copies of which are attached hereto.

The undersigned hereby certifies that a true and correct copy of this Notice of Filing, together with the above-described document, was served upon the Respondent by facsimile transmission and by enclosing same in an envelope addressed to the attorney of record for said Respondent, and by depositing said envelope in a United States Post Office Mail Box at Springfield, Illinois, with postage fully prepaid, on the 13<sup>th</sup> day of May, 2003.



Fred C. Prillaman

MOHAN, ALEWELT, PRILLAMAN & ADAMI  
 1 North Old Capitol Plaza, Suite 325  
 Springfield, IL 62701  
 Phone: (217) 528-2517

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| PROTECTION AGENCY,     | ) |                 |
|                        | ) |                 |
| Respondent.            | ) |                 |

MOTION TO DISMISS

Petitioner, NORTH SHORE SANITARY DISTRICT, hereby moves to dismiss the pending appeal, and to cancel the hearing now scheduled for Thursday, May 15, 2003, pursuant to Board Procedural Rules 101.500 and 101.510. Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, has no objection to the granting of this motion.

Dated this 13<sup>th</sup> day May, 2003.

Respectfully submitted,

NORTH SHORE SANITARY DISTRICT,  
Petitioner

By MOHAN, ALEWELT, PRILLAMAN & ADAMI

By   
Fred C. Prillaman

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FACSIMILE COVER SHEET

MOHAN, ALEWELT, PRILLAMAN & ADAMI  
Suite 325, 1 North Old Capitol Plaza  
Springfield, Illinois 62701-1323  
Telephone: (217) 528-2517  
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DATE: May 13, 2003

TIME:

TO: Bradley Halloran  
Robb Layman

FROM: Fred C. Prillaman  
WRITER'S E-MAIL: prillaman@mohanlaw.com

FAX: 312.814.3669  
217.782.9807

RE: NSSD

NO. OF PAGES: 3  
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If there are any problems with this transmission, please contact Susan at the above telephone number.

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MESSAGE

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ORIGINAL WILL FOLLOW: \_\_\_\_\_ NO  
\_\_\_\_\_ YES VIA \_\_\_\_\_ EXPRESS DELIVERY  
\_\_\_\_\_ REGULAR MAIL  
\_\_\_\_\_ HAND DELIVERY

As you requested, we advised \_\_\_\_\_ of your office immediately prior to this transmission.