

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS RAILWAY, LLC,)	
)	
)	
)	
Petitioner,)	
)	
v.)	PCB 17-54
)	(USTAppeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

To: Those Individuals as Listed on attached Certificate of Service

Please take notice that on June 11, 2018, the undersigned caused to be filed with the Clerk of the Illinois Pollution Control Board a **Motion to Dismiss**, a copy of which is herewith served upon you.

/s/ David L. Rieser
By: One of the Attorneys for Illinois Railway, LLC

David L. Rieser
Attorney for Petitioner
K&L Gates LLP
70 W. Madison Street,
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Chicago, IL 60602
(312) 807 4359

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MOTION TO DISMISS

NOW COMES the Petitioner, by its attorneys, David L. Rieser and K&L Gates LLP and requests that the Board dismiss this Petition. Agency counsel has no objection to this request.

Respectfully submitted,

Dated: June 11, 2018

/s/ David L. Rieser

David L. Rieser
Attorney for Petitioner
K&L Gates LLP
70 W. Madison Street,
Suite 3100
Chicago, IL 60602
(312) 807 4359

CERTIFICATE OF SERVICE

I, David L. Rieser, an attorney for Petitioner, hereby certify that I served a copy of **Motion to Dismiss** upon those listed below on March 28, 2018 via the Illinois Pollution Control Board Clerk's Office Online (COOL) electronic filing system and via U.S. mail:

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Bradley P. Halloran, Hearing Officer
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/s/ David L. Rieser