

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| | | |
|------------------------|---|----------------------|
| GBL Properties, Inc., |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 20-07 |
| |) | (LUST Permit Appeal) |
| ILLINOIS ENVIRONMENTAL |) | |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

NOTICE OF FILING

| | |
|----------------------------------|----------------------------------|
| TO: Don Brown | Carol Webb |
| Clerk of the Board | Hearing Officer |
| Illinois Pollution Control Board | Illinois Pollution Control Board |
| James R. Thompson Center | 1021 North Grand Avenue East |
| 100 West Randolph, Suite 11-500 | Post Office Box 19274 |
| Chicago, Illinois 60601 | Springfield, Illinois 62794-9274 |
| (VIA ELECTRONIC MAIL) | (VIA ELECTRONIC MAIL) |

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **MOTION TO DISMISS**, copies of which are herewith served upon you.

Respectfully submitted,

GBL Properties, Inc.
Petitioner,

DATE: June 5, 2020

By: /s/ Melissa S. Brown
One of Its Attorneys

Jennifer M. Martin
Melissa S. Brown
HEPLERBROOM, LLC
4340 Acer Grove Drive
Springfield, IL 62711
Jennifer.Martin@heplerbroom.com
Melissa.Brown@heplerbroom.com
(217) 528-3674

CERTIFICATE OF SERVICE

I, Melissa S. Brown, the undersigned, hereby certify that I have served the attached

MOTION TO DISMISS on:

Don Brown
Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

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

Melanie Jarvis
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794

That my email address is Melissa.Brown@heplerbroom.com

That the number of pages in the email transmittal is 3 pages.

That the email transmission took place before 5:00 p.m. on the date of June 5, 2020.

Dated: June 5, 2020

/s/ Melissa S. Brown
Melissa S. Brown

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| |) | |
| Respondent. |) | |

MOTION TO DISMISS

NOW COMES Petitioner, GBL PROPERTIES, INC. (“Petitioner”) by and through its attorneys, and pursuant to 35 Ill. Adm. Code 101.500, asks the Board to dismiss this UST appeal with prejudice. Petitioner no longer seeks to appeal the Respondent’s UST decision at issue in this proceeding.

WHEREFORE, Petitioner prays for an Order from the Board dismissing this matter with prejudice and closing the docket, with each party to bear its own costs and fees.

Respectfully submitted,

GBL PROPERTIES, INC.
Petitioner,

Dated: June 5, 2020

By: /s/ Melissa S. Brown
One of Its Attorneys

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