

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
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L. KELLER OIL PROPERTIES, INC.,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY,

Respondent.

PCB 99-188
(Permit Appeal)

JAN 26 2004
STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING AND PROOF OF SERVICE

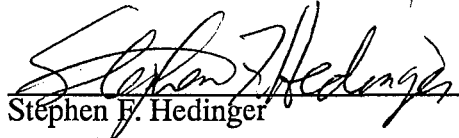
To: Dan Merriman
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 N. Grand Ave. East
P.O. Box 19276
Springfield, IL 62794-9476

Brad Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

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

PLEASE TAKE NOTICE that on the 22nd day of January, 2004, we sent to the Clerk of the Illinois Pollution Control Board the original and nine copies of Petitioner's Motion for Voluntary Dismissal for filing in the above captioned cause.

The undersigned hereby certifies that true and correct copies of the above described pleading were served upon the above identified persons at their business addresses as set forth above, by enclosing said pleading in envelopes, properly addressed, with first class postage fully prepaid, and by depositing said envelopes in a U.S. Post Office mail box in Springfield, Illinois, on this 22nd day of January, 2004.


Stephen F. Hedinger

2601 South Fifth Street
Springfield, IL. 62703
Telephone: (217) 523-2753
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- This pleading is being submitted on recycled paper -

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MOTION FOR VOLUNTARY DISMISSAL

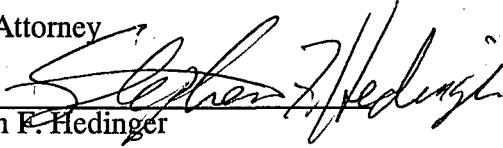
NOW COMES Petitioner, L. KELLER OIL PROPERTIES, INC., by its undersigned attorney and hereby voluntarily dismisses without prejudice its permit appeal for denial of the High Priority Corrective Action Plan, against Defendant, Illinois Environmental Protection Agency (IEPA) and requests entry of an order by this Board to that effect.

WHEREFORE, Petitioner L. KELLER OIL PROPERTIES, INC., requests that this Board enter an order dismissing without prejudice its permit appeal filed in this matter.

Respectfully Submitted,

L. Keller Oil Properties, Inc.
Petitioner

By Its Attorney


Stephen F. Hedinger

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