

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

|                          |   |                       |
|--------------------------|---|-----------------------|
| PEORIA DISPOSAL COMPANY, | ) |                       |
|                          | ) |                       |
| Petitioner,              | ) | PCB 2014-28           |
|                          | ) | (NPDES Permit Appeal) |
| v.                       | ) |                       |
|                          | ) |                       |
| ILLINOIS ENVIRONMENTAL   | ) |                       |
| PROTECTION AGENCY,       | ) |                       |
|                          | ) |                       |
| Respondent.              | ) |                       |

**NOTICE OF ELECTRONIC FILING**

TO: All Parties of Record

PLEASE TAKE NOTICE that on April 14, 2015, I filed the following documents electronically with the Clerk of the Pollution Control Board of the State of Illinois:

1. Motion to Dismiss Voluntarily; and
2. This Notice of Electronic Filing

Copies of the above-listed documents were served upon you in the manner stated in the Certificate of Service attached hereto.

Respectfully submitted,

PEORIA DISPOSAL COMPANY,  
Petitioner



By: \_\_\_\_\_

One of its attorneys

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**MOTION TO DISMISS VOLUNTARILY**

NOW COMES the Petitioner, Peoria Disposal Company (“PDC”), by and through its undersigned attorneys, and as and for its Motion to Dismiss this case voluntarily, states as follows:

1. On October 18, 2013, PDC filed its Petition for Review with the Illinois Pollution Control Board (the “Board”), seeking review certain conditions imposed in National Pollutant Discharge Elimination System (NPDES) Permit IL0064777 (the “NPDES Permit”), issued to PDC by the Illinois Environmental Protection Agency (the “IEPA”) on September 20, 2013.
2. The effectiveness of the NPDES Permit was stayed pending the appeal.
3. On April 7, 2015, a modified version of the NPDES Permit was issued by the IEPA, pursuant to the agreement of the parties.
4. PDC does not seek review of the NPDES Permit in its modified form, as issued on April 7, 2015, and no longer wishes to pursue this permit appeal.

WHEREFORE, PDC respectfully requests that the Board dismisses this case on the voluntary motion of PDC.

Respectfully submitted,

PEORIA DISPOSAL COMPANY,  
Petitioner



By: \_\_\_\_\_  
One of its attorneys

Brian J. Meginnes, Esq. ([bmeginnes@emrslaw.com](mailto:bmeginnes@emrslaw.com))

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915-0317

**CERTIFICATE OF SERVICE**

The undersigned certifies that on April 14, 2015, the foregoing document will be served upon each party to this case in the following manner:

- Enclosing a true copy of same in an envelope addressed to the attorney of record of each party or the party as listed below, with FIRST CLASS postage fully prepaid, and depositing each of said envelopes in the United States Mail at 5:00 p.m. on said date.
- Enclosing a true copy of same in an envelope addressed to the attorney of record of each party or the party as listed below, for delivery by CERTIFIED MAIL, RETURN RECEIPT REQUESTED, and depositing each of said envelopes in the United States Mail at 5:00 p.m. on said date.
- Personal delivery to the attorney of record of each party at the address(es) listed below.
- EMAIL with confirmation by United States Mail
- Via Federal Express - Express Package Service - Priority Overnight

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By: \_\_\_\_\_  
Attorney

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