

ILLINOIS POLLUTION CONTROL BOARD

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OCT 23 2003

STATE OF ILLINOIS
Pollution Control Board

ARCHER DANIELS MIDLAND COMPANY,)

Petitioner,)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Respondent.)

PCB 99-166
(Trade Secret)

MOTION TO WITHDRAW TRADE SECRET APPEAL

Archer Daniels Midland Company (ADM), through its Corporate Environmental Counsel, hereby moves to withdraw its trade secret appeal filed in this matter and in support thereof states as follows:

1. This matter involves the appeal of Illinois EPA's denial of trade secret status for certain information included in a permit application regarding a soy fiber pelletizing system at ADM's plant in Decatur, Illinois;
2. After a the Board's adoption of revisions to its Procedural Rules regarding trade secrets, Illinois EPA requested that ADM submit a new request for a trade secret determination regarding the same information;
3. By letter dated July 31, 2003 (copy attached), Illinois EPA granted that new request;
4. Thus, there is no longer any reason to pursue this appeal; and
5. Illinois EPA has authorized ADM to represent to the Board that Illinois EPA has reviewed this Motion, concurs with the substance of the Motion, and does not intend to file a response to it.

WHEREFORE, for the reasons set forth above, ADM respectfully requests the Board to grant this Motion to Withdraw Trade Secret Appeal.

Respectfully Submitted,

By: Lee R. Cunningham

Lee R. Cunningham
Corporate Environmental Counsel
Archer Daniels Midland Company

CERTIFICATE OF SERVICE

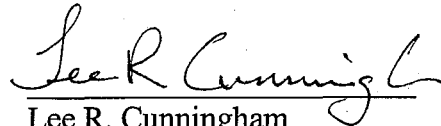
It is hereby certified that true copies of the foregoing Motion to Withdraw Permit Appeal were mailed, first class, to each of the following on October 17, 2003:

Carol Sudman
Hearing Officer
Illinois Pollution Control Board
600 S. Second Street, Suite 402
Springfield, IL 62704

Robb H. Layman, Assistant Counsel
IEPA, Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

It is hereby certified that an original and ten copies of the foregoing Motion to Withdraw Permit Appeal was mailed regular U.S. mail to the following on October 17, 2003:

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



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