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**ILLINOIS POLLUTION CONTROL BOARD**

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SEP 25 2003

STATE OF ILLINOIS  
*Pollution Control Board*

**ARCHER DANIELS MIDLAND COMPANY, )**

**Petitioner, )**

**v. )**

**ILLINOIS ENVIRONMENTAL )**  
**PROTECTION AGENCY, )**

**Respondent. )**

**PCB 92-109**  
**(Permit Appeal – Air)**

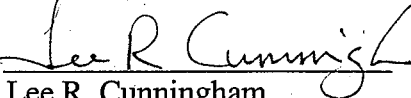
**MOTION TO WITHDRAW PERMIT APPEAL**

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

1. This matter involves the appeal of certain permit conditions relating to a product dryer and related pollution control equipment at ADM's Decatur Corn Plant;
2. Since the filing of this appeal, the equipment at issue in this appeal has been the subject of a federal enforcement action (*U.S.A., et al v. ADM*, Civil Action No. 03-2066, known as the National Initiative) by various governmental entities which was concluded through the entry of a Consent Decree on August 21,2003;
3. ADM's understanding and belief is that with the entry of the Consent Decree concluding the Federal National Initiative, the issues forming the basis of this appeal have been rendered moot superseded by the terms and conditions of the Consent Decree and that ADM has been released from any past emission violations;
4. Thus, there is no reason to pursue this appeal now that the Decree has been entered in the National Initiative; 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 separate response.

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

Respectfully Submitted,

By:   
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 September 23, 2003:

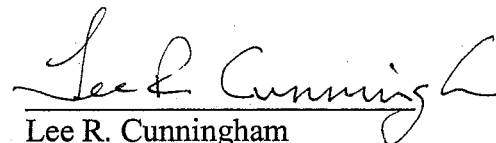
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Roy M. Harsch  
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Chicago, IL 60606-1698

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 September 23, 2003:

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