

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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MAR - 7 2005

STATE OF ILLINOIS
Pollution Control Board

WEWS, L.P., WITH RESPECT TO
THE BOYE NEEDLE FACILITY,

Petitioner

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

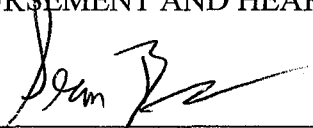
Respondent

PCB 04-128
(UST APPEAL)

NOTICE OF FILING

TO: John Kim
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board, the undersigned's MOTION TO DISMISS in the above-captioned matter with respect to the Boye Needle Facility's PETITION FOR APPEAL OF ILLINOIS ENVIRONMENTAL PROTECTION AGENCY DETERMINATION REGARDING UST FUND REIMBURSEMENT AND HEARING.



Sean W. Bezark
for Greenberg Traurig, LLP

Date: March 4, 2005

Sean W. Bezark
GREENBERG TRAURIG, LLP
77 West Wacker Drive
Suite 2500
Chicago, Illinois 60601
(312) 476-5027

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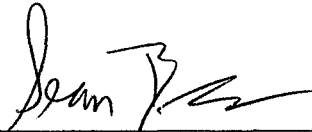
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STATE OF ILLINOIS
Pollution Control Board

MOTION TO DISMISS

Now comes Petitioner, WEWS, L.P., with respect to the Boye Needle Facility, and respectfully requests that the Illinois Pollution Control Board dismiss the above-captioned matter. The Respondent, Illinois Environmental Protection Agency, and Petitioner have resolved the issues that were in dispute.

Wherefore, Petitioner respectfully requests that the Board dismiss this matter.



Sean W. Bezark
for Greenberg Traurig, LLP

Date: March 4, 2005

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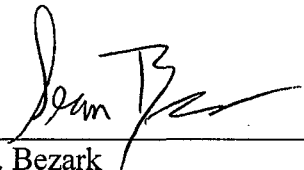
Respondent

**PCB 04-128
(UST APPEAL)**

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached MOTION TO DISMISS with respect to the PETITION FOR APPEAL OF ILLINOIS ENVIRONMENTAL PROTECTION AGENCY DETERMINATION REGARDING UST FUND REIMBURSEMENT AND HEARING by U.S. Mail, upon the following persons:

John Kim
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276



Sean W. Bezark
for Greenberg Traurig, LLP

Date: March 4, 2005

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