## RECEIVED CLERK'S OFFICE

NOV 2 3 2004

### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS Pollution Control Board

ROCK ROAD COMPANIES, INC.	)
Petitioner,	
vs.	) Case No. PCB No. 2005-054
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	) Permit Appeal )
Respondent.	) ) )

## WITHDRAWAL OF PERMIT APPEAL

NOW COMES Petitioner Rock Road Companies, Inc., by Harvey M. Sheldon and Hinshaw & Culbertson LLP, its counsel, and hereby stipulates that this Permit Appeal is permanently withdrawn, not to be refiled. Rock Road Companies, Inc. respectfully reserves its rights and other remedies respecting the issues underlying the case.

Respectfully submitted,

ROCK ROAD COMPANYS, INC.

Attorney for Petitioner

Date: November 23, 2004

Harvey M. Sheldon Hinshaw & Culbertson LLP 222 North LaSalle Street Chicago, IL 60601

Tel. 312-704-3504 Fax: 312-704-3001

# BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ROCK ROAD COMPANIES, INC.	)
Petitioner,	)
vs.	) Case No. PCB No. 2005-054
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	) Permit Appeal
Respondent.	

# **CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, certify that I have served the attached Withdrawal of Permit Appeal, along with the Notice of Filing, by mailing a full copy thereof postage pre-paid via the United States Postal Service from Chicago, Illinois before 4 PM on November 23, 2004, in an enveloce addressed to the following persons:

Harvey M.

Sally Carter, Esq.
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

Hon. Bradley Halloran Illinois Pollution Control Bd. 100 West Randolph Street Suite 11-500 Chicago, IL 60601

November 23, 2004

Harvey M. Sheldon Hinshaw & Culbertson LLP 222 North LaSalle Street Chicago, \_\_ 60601

Tel. 312-704-3504 Fax 312-704-3001

RECEIVED CLERK'S OFFICE

#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NOV 2 3 2004

ROCK ROAD COMPANIES, INC.	STATE OF ILLINOIS Pollution Control Board
Petitioner,	)
VS.	) Case No. PCB No. 2005-054
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	) Permit Appeal )
Respondent.	) )

# NOTICE OF FILING

TO: Sally Carter, Esq.
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East

Post Office Box 19276 Springfield, IL 62794-9276 Hon. Bradley Halloran Illinois Pollution Control Bd. 100 West Randolph Street

Suite 11-500 Chicago, IL 60601

PLEASE TAKE NOTICE that on November 23, 2004 I caused to be filed with the Clerk of the Illinois Pollution Control Board Petitioner's Withdrawal of Permit Appeal, a copy of which is hereby served upon you.

ROCK ROAD COMPANIES, AND

Attorney/for Petitioner

Date: November 23, 2004

Harvey M. Sheldon Hinshaw & Culbertson LLP 222 North LaSalle Street Chicago, IL 60601

Tel. 312-704-3504 Fax: 312-704-3001