

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

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APR 25 2005

STATE OF ILLINOIS  
Pollution Control Board

CIRCLE C, INC.,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent.

)  
)  
)  
)  
) PCB 04-131  
) (UST Appeal)  
)  
)  
)

NOTICE OF FILING

TO:

John Kim  
Special Assistant Attorney General  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274

PLEASE TAKE NOTICE that on April 25, 2005, we filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois an original, executed copy of a Motion to Dismiss.

Dated: April 25, 2005

Respectfully submitted,

Circle C, Inc.

By:

Carolyn S. Hesse  
One of Its Attorneys

Carolyn S. Hesse  
Barnes & Thornburg LLP  
One North Wacker Drive  
Suite 4400  
Chicago, Illinois 60606  
(312) 357-1313  
268675v1


**CERTIFICATE OF SERVICE**

I, on oath state that I have served the attached Motion to Dismiss by placing a copy in an envelope addressed to:

John Kim  
Special Assistant Attorney General  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274

from One North Wacker Drive, Suite 4400, Chicago, Illinois, before the hour of 5:00 p.m., on this 25<sup>th</sup> Day of April, 2005.

  
\_\_\_\_\_  
Carolyn S. Hesse

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CLERK'S OFFICE

STATE OF ILLINOIS  
Pollution Control Board

PCB 04-131  
(UST Appeal)