

ILLINOIS POLLUTION CONTROL BOARD
September 1, 1994

GUNITE CORPORATION,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 94-80
	)	(UST Fund)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

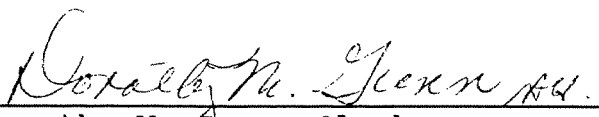
ORDER OF THE BOARD (by C.A. Manning):

This matter is before the Board on a stipulation of settlement, jointly filed on August 23, 1994 by petitioner, Gunite Corporation and respondent, the Illinois Environmental Protection Agency ("Agency"), and a motion for withdrawal filed by Gunite. The underlying petition was filed by Gunite on March 1, 1994 challenging the Agency's denial of an application for site-specific clean up objectives. The parties' stipulated settlement provides that the Agency has subsequently determined there is no confirmed release at the Gunite site which would subject the company to the requirements of Illinois' Leaking Underground Storage Tank Program (415 ILCS 5/57 et seq.). The Agency and Gunite have agreed that the contamination resulted from disposal activities occurring in 1974, rather than from a release of an UST.

Therefore, we grant petitioner's motion for withdrawal and expressly incorporate by reference, the stipulation of settlement and dismissal filed by the parties on August 23, 1994 with the Board. The docket in this matter is hereby closed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 1st day of September, 1994, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board