

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS AYERS OIL CO.,)	
)	
Petitioner,)	
)	
v.)	PCB 03-70
)	(UST Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

MOTION TO DISMISS

NOW COMES Petitioner, ILLINOIS AYERS OIL CO., by its undersigned attorneys, and moves to dismiss the pending petition for review, for the reason that the matters at issue have been settled by and between the parties. Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, has no objection to the granting of this Motion.

Respectfully Submitted,
ILLINOIS AYERS OIL CO.,

By, MOHAN, ALEWELT, PRILLAMAN & ADAMI

/s/ Fred C. Prillaman

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C:\MAPA\CSD Environmental\Illinois Ayers Oil\Elec. file Motion to Dismiss 7 8 05.wpd

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NOTICE OF FILING AND PROOF OF SERVICE

TO: Dorothy Gunn, Clerk
Illinois Pollution Control Board
100 West Randolph Street
State of Illinois Building
Suite 11-500
Chicago, IL 60601

Carol Webb
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PLEASE TAKE NOTICE that on July 8, 2005, I filed the original Motion to Dismiss with the Office of the Clerk of the Pollution Control Board by electronic filing with the Clerk's Office On-Line (COOL).

The undersigned certifies that he served the Motion to Dismiss by mailing a copy to the above persons by U.S. Mail on July 8, 2005.

/s/ Fred C. Prillaman

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THIS FILING SUBMITTED ON RECYCLED PAPER