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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AUG 08 2005

STATE OF ILLINOIS
Pollution Control Board

COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 04 - 39
)	Site Code: 0778155007
EDWARD TOW,)	
)	
Respondent.)	

**COMPLAINANT'S MOTION TO WITHDRAW AND
DISMISS ADMINISTRATIVE CITATION**

NOW COMES the Complainant, the County of Jackson, ("County"), by and through its attorney, Assistant State's Attorney, Daniel Brenner, and pursuant to Section 101.500 of the Illinois Pollution Control Board's ("Board") Rules and Regulations, 35 III. Adm. Code 101.500, hereby moves the Board for an order allowing the Complainant to withdraw and dismiss its administrative citation in the above captioned matter; and in support hereof, the Complainant respectfully states as follows:

1. On November 22, 2004, this matter was heard by Hearing Officer, Carol Webb, at the Jackson County Health Department in Murphysboro, Illinois.
2. On March 7, 2005 Hearing Officer, Carol Webb, issued an order suspending the briefing schedule, at the request of the parties, to allow the Respondent to clean up the site.
3. On August 3, 2005 an inspection was conducted by the Complainant and it was reported that the site had been cleaned up and in general compliance with the open dumping laws. No violations were observed at the site at that time.

WHEREFORE, the Complainant respectfully requests its Administrative Citation in this matter be withdrawn and dismissed; and the proceedings be closed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Daniel Brenner', written over a horizontal line.

Daniel Brenner
Assistant State's Attorney
Jackson County Courthouse, Third Floor
Murphysboro, IL 62966
618-687-7200

For the Complainant

PROOF OF SERVICE

I hereby certify that I did on the 4th day of August 2005, send by U.S. Mail, with postage thereon fully prepaid, by depositing in U.S. Post Office Box a true and correct copy of the following instrument(s) entitled COMPLAINTANT'S MOTION TO WITHDRAW AND DISMISS ADMINISTRATIVE CITATION.

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

J. Mark Maclin
Attorney at Law
6 South Division
DuQuoin, Illinois 62832

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by U.S. Mail with postage thereon fully prepaid.

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601



Daniel Brenner
Assistant State's Attorney
Jackson County Courthouse, Third Fl.
Murphysboro, IL 62966
618-687-7200

FILING SUBMITTED ON RECYCLED PAPER