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AUG 19 2003
STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

WARECO SERVICE, INC.)
)
Petitioner,)
)
v.) PCB No. 03-212
) (UST – Petition
ILLINOIS ENVIRONMENTAL) for Review)
PROTECTION AGENCY)
)
Respondent.)

NOTICE OF FILING

TO: Ms. Dorothy M. Gunn Carol Sudman, Esq.
Clerk of the Board Hearing Officer
Illinois Pollution Control Board Illinois Pollution Control Board
100 West Randolph Street 1021 North Grand Avenue
Suite 11-500 Post Office Box 19274
Chicago, Illinois 60601 Springfield, IL 62794-9274
(VIA FIRST CLASS MAIL) (VIA FIRST CLASS MAIL)

(PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board an original and nine copies each of a **MOTION FOR VOLUNTARY DISMISSAL**, copies of which are herewith served upon you.

Respectfully submitted,

WARECO SERVICE, INC.,
Petitioner,

By: Cassandra Karimi
One of Its Attorneys

Dated: August 15, 2003
Edward W. Dwyer
Cassandra L. Karimi
HODGE DWYER ZEMAN
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

CERTIFICATE OF SERVICE

I, Cassandra L. Karimi, the undersigned, certify that I have served the attached

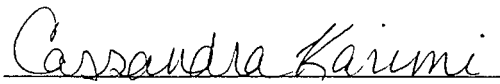
MOTION FOR VOLUNTARY DISMISSAL upon:

Ms. Dorothy M. Gunn
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Carol Sudman, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue
Post Office Box 19274
Springfield, IL 62794-9274

John J. Kim, Esq.
Special Assistant Attorney General
Division of Legal Counsel
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

by depositing said documents in the United States Mail in Springfield, Illinois, postage prepaid, on August 15, 2003.


Cassandra L. Karimi

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

WARECO SERVICE, INC.,)
)
 Petitioner,)
)
 v.)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

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PCB No. 03-212 STATE OF ILLINOIS
(UST – Petition *Pollution Control Board*
for Review)

MOTION FOR VOLUNTARY DISMISSAL

NOW COMES Petitioner, WARECO SERVICE, INC. (“Petitioner”), by and through its attorneys, HODGE DWYER ZEMAN, and pursuant to 35 Ill. Admin. Code § 101.500, moves the Illinois Pollution Control Board (“Board”) to voluntarily dismiss this action. In support of this Motion, Petitioner states as follows:

1. Respondent filed a Request for Ninety Day Extension of Appeal Period on May 5, 2003.
2. Thereafter, Petitioner filed its Petition for Review of LUST Fund Reimbursement Decision (“Petition”) on August 1, 2003.
3. Representatives of Petitioner and Respondent met to discuss this matter on August 12, 2003.
4. Upon further consideration, Petitioner has determined to withdraw its Petition for Review of LUST Fund Reimbursement Decision.
5. Petitioner requests that the Board grant this Motion for Voluntary Dismissal and dismiss this Petition.

WHEREFORE, Petitioner, WARECO SERVICE, INC., respectfully requests that
the Illinois Pollution Control Board enter an Order dismissing this action.

Respectfully submitted,

WARECO SERVICE, INC.
Petitioner,

By: Cassandra Karimi
One of Its Attorneys

Dated: August 15, 2003

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Cassandra L. Karimi
HODGE DWYER ZEMAN
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WARE:001/Fil/Motion for Voluntary Dismissal (03-212)