BEFORE THE POLLU	TION CONTROL BOAR	
OF THE STA ROBERT AND TONY THOMPSON Petitioner,	TE OF ALLINOIS	MAY 1 0 2005 STATE OF ILLINOIS Pollution Control Board
v.) PCB 05-72) (UST Append)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,) (UST Appeal)))	
Respondent.)	

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

lasse

PLEASE TAKE NOTICE that on May 10, 2005, 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: May 10, 2005

Respectfully submitted,

Robert and Tony Thompson

By:

One of Its Attorneys

Carolyn S. Hesse Barnes & Thornburg LLP One North Wacker Drive Suite 4400 Chicago, Illinois 60606 (312) 357-1313 271025v1

[This filing submitted on recycled paper as defined in 35 Ill. Adm. Code 101.202]

RECEIVE CLERK'S OFFICE

MAY 1 0 2005

OF STERVICE

RVICE STATE OF ILLINOIS Pollution Control Board tion to Dismiss by placing a copy in an I, on oath state that I have 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 10th Day of May, 2005.

Caroly S. Hesse

[This filing submitted on recycled paper as defined in 35 Ill. Adm. Code 101.202]

BEFORE THE POLLATI	ON CONTROL BOARD	RECEIVED CLERK'S OFFICE
	OF ILLINOIS	MAY 1 0 2005
ROBERT AND TONY THOMPSON,)		STATE OF ILLINOIS Pollution Control Board
Petitioner,)	04-085 PCB 0 4- 084	
v. ()		
) ILLINOIS ENVIRONMENTAL) PROTECTION AGENCY,)	(UST Appeal)	
) Respondent.)		

MOTION TO DISMISS

Now comes Petitioner, Robert and Tony Thompson, and respectfully requests that the Illinois Pollution Control Board dismiss the above-captioned matter. The Respondent, Illinois Environmental Protection Agency and Petitioner resolved the issues in dispute.

Wherefore, Petitioner respectfully requests that the Board dismiss this matter.

Dated: May 10, 2005

Respectfully submitted,

Robert and Tony Thompson

rolev. Stresse By:

One of Its Attorneys

Carolyn S. Hesse, Esq. Barnes & Thornburg LLP One North Wacker Drive Suite 4400 Chicago, Illinois 60606 (312) 357-1313 270998v1