

**BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

| | | |
|------------------------|---|----------------|
| OWENS OIL COMPANY, |) | |
| |) | PCB 03-192 |
| Petitioner, |) | PCB 03-194 |
| |) | PCB 03-195 |
| v. |) | PCB 03-196 |
| |) | PCB 03-197 |
| ILLINOIS ENVIRONMENTAL |) | PCB 03-203 |
| PROTECTION AGENCY, |) | (UST Appeal) |
| |) | (Consolidated) |
| Respondent. |) | |

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CLERK'S OFFICE

AUG 01 2005

STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING

| | |
|--|----------------------------------|
| TO: John Kim | Carol Webb |
| Special Assistant Attorney General | Hearing Officer |
| Illinois Environmental Protection Agency | Illinois Pollution Control Board |
| 1021 North Grand Avenue East | 1021 North Grand Avenue East |
| P.O. Box 19276 | P.O. Box 19276 |
| Springfield, Illinois 62794-9276 | Springfield, Illinois 62794-9276 |

PLEASE TAKE NOTICE that on the August 2, 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: August 2, 2003

Respectfully submitted,

Owens Oil Company

By: Carolyn S. Hesse
One of Its Attorneys

Carolyn S. Hesse
Barnes & Thornburg
One North Wacker Drive
Suite 4400
Chicago, Illinois 60606
(312) 357-1313
283612v1


CERTIFICATE OF SERVICE

I, on oath state that I have served the attached Motion to Dismiss by placing a copy in an 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 19276
Springfield, Illinois 62794-9276

from One North Wacker Drive, Suite 4400, Chicago, Illinois, before the hour of 5:00 p.m., on this 2nd Day of August, 2005.


Carolyn S. Hesse

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MOTION TO DISMISS

Now comes Petitioner, Owens Oil Company, and respectfully requests that the Illinois Pollution Control Board dismiss the above-captioned matters. The Respondent, Illinois Environmental Protection Agency and Petitioner resolved the issues in dispute.

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

Dated: August 2, 2005

Respectfully submitted,

Owens Oil Company

By: Carolyn S. Hesse
One of Its Attorneys

Carolyn S. Hesse, Esq.
Barnes & Thornburg LLP
One North Wacker Drive
Suite 4400
Chicago, Illinois 60606
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