

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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STATE OF ILLINOIS
Pollution Control Board

VILLAGE OF ROBBINS and, ALLIED
WASTE TRANSPORTATION, INC.

Petitioners,

vs.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

Case No. PCB No. 04-48

NOTICE OF FILING

TO: All Counsel of Record (see attached service list)

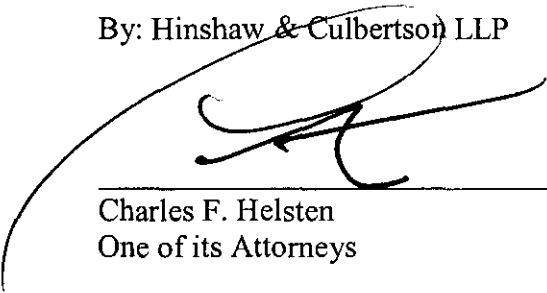
PLEASE TAKE NOTICE that on October 14, 2005, the undersigned filed with the Illinois Pollution Control Board, 100 West Randolph Street, Chicago, Illinois 60601, an original and nine copies of the Motion to Dismiss, copies of which are attached hereto.

Dated: October 14, 2005

Respectfully Submitted,

ALLIED WASTE TRANSPORTATION, INC.,
Petitioners

By: Hinshaw & Culbertson LLP



Charles F. Helsten
One of its Attorneys

Hinshaw and Culbertson LLP
100 Park Avenue
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STATE OF ILLINOIS
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Respondent.

Case No. PCB No. 04-48

NOW COMES Allied Waste Transportation, Inc., Petitioner in the above-captioned matter, and respectfully moves to dismiss its pending appeal in the above-captioned matter with prejudice, and, in support thereof, states as follows:

1. That this appeal rises out of a denial by the Illinois Environmental Protection Agency (IEPA) an application for issuance of a significant modification permit for the Robbins Incineration facility.

2. That as of the present date, all matters in issue in this appeal have been resolved and the Petition has in fact received permit approval.

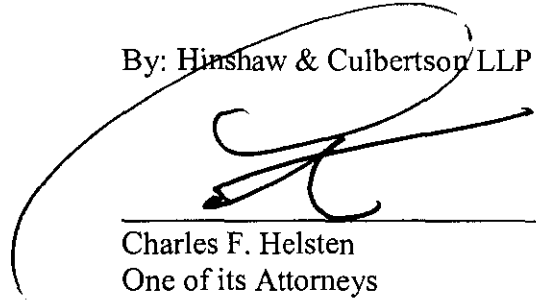
3. As such, this pending appeal may be dismissed with prejudice.

WHEREFORE, the Petitioner, Allied Waste Transportation, Inc. respectfully request that this Honorable Board enter an Order granting this Motion, and dismissing this appeal with prejudice.

Respectfully Submitted,

On behalf of the

By: Hinshaw & Culbertson/LLP



Charles F. Helsten
One of its Attorneys

HINSHAW AND CULBERTSON LLP
100 Park Avenue
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Rockford, IL 61105-1389
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AFFIDAVIT OF SERVICE

The undersigned, pursuant to the provisions of Section 1-109 of the Illinois Code of Civil Procedure, hereby under penalty of perjury under the laws of the United States of America, certifies that on October 14, 2005, a copy of the foregoing was served upon:

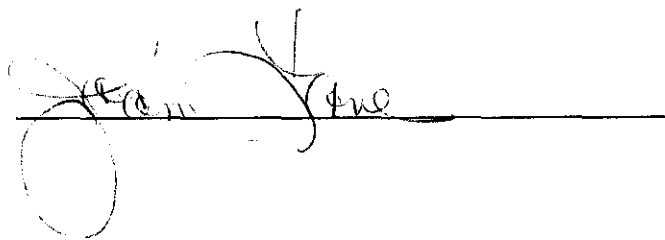
Dorothy M. Gunn, Clerk
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John J. Kim
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1021 N. Grand Avenue, East
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Mr. Brad Halloran
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, 11th Floor
Chicago, Illinois 60601

Mr. William Mansker
Village of Robbins
3327 W. 137th Street
Robbins, IL 60472

By depositing a copy thereof, enclosed in an envelope in the United States Mail at Chicago, Illinois, proper postage prepaid, before the hour of 5:00 P.M., addressed as above.



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