

**RECEIVED**  
CLERK'S OFFICE

JUN 16 2006

STATE OF ILLINOIS  
Pollution Control Board

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

SWEARINGIN AMOCO,	)	
	)	
Petitioner,	)	
	)	PCB 03-156, PCB 03-157, PCB 03-158
v.	)	PCB 04-151, PCB 04-152, PCB 04-153
	)	PCB 04-154
ILLINOIS ENVIRONMENTAL	)	UST Fund Appeal
PROTECTION AGENCY,	)	(Consolidated)
	)	
Respondent.	)	

**NOTICE OF FILING**

<b>TO:</b>	William Ingersoll	Carol Webb
	Illinois Environmental Protection Agency	Hearing Officer
	1021 North Grand Avenue East	Illinois Pollution Control Board
	P.O. Box 19276	1021 North Grand Avenue East
	Springfield, Illinois 62794-9276	P.O. Box 19274
		Springfield, Illinois 62794-9274

**PLEASE TAKE NOTICE** that on June 16, 2006, 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: June 16, 2006

Respectfully submitted,

**Swearingin Amoco**

By: Carolyn S Hesse  
One of Its Attorneys

Carolyn S. Hesse  
**Barnes & Thornburg LLP**  
One North Wacker Drive  
Suite 4400  
Chicago, Illinois 60606  
(312) 357-1313  
337498v1

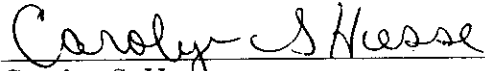
**CERTIFICATE OF SERVICE**

I, on oath state that I have served the attached Motion to Dismiss by placing a copy in an envelope addressed to:

William Ingersoll  
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 16<sup>th</sup> Day of June, 2006.

  
\_\_\_\_\_  
Carolyn S. Hesse

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

RECEIVED  
CLERK'S OFFICE

JUN 16 2006

STATE OF ILLINOIS  
Pollution Control Board

SWEARINGIN AMOCO, )  
 )  
 Petitioner )  
 )  
 v. ) PCB 03-156, PCB 03-157, PCB 03-158  
 ) PCB 04-151, PCB 04-152, PCB 04-153  
 ) PCB 04-154  
 ILLINOIS ENVIRONMENTAL ) UST Fund Appeal  
 PROTECTION AGENCY, ) (Consolidated)  
 )  
 Respondent )

**MOTION TO DISMISS**

Now comes Petitioner, Swearingin Amoco, 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 these matters.

Dated: June 16, 2006

Respectfully submitted,

Swearingin Amoco

By: Carolyn S. Hesse  
One of Its Attorneys

Carolyn S. Hesse, Esq.  
Barnes & Thornburg LLP  
One North Wacker Drive  
Suite 4400  
Chicago, Illinois 60606  
(312) 357-1313  
337492v1