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AUG 29 2006

STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ABITEC CORPORATION,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 03-95
	)	(Permit Appeal – Air)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**MOTION TO WITHDRAW APPEAL**

Petitioner, ABITEC CORPORATION ("ABITEC") submits its Motion To Withdraw Appeal of ABITEC's Clean Air Act Permit Program ("CAAPP") permit pursuant to 35 Ill. Adm. Code 101.308. In support of this Memorandum, ABITEC states the following:

1. On December 31, 2002, ABITEC filed a petition to appeal certain conditions of the CAAPP permit issued to it by the Illinois Environmental Protection Agency ("IEPA") on November 26, 2002.

2. On approximately August 8, 2005, the parties entered into a Consent Order. Section VIII.B.3 of the Consent Order requires ABITEC to withdraw its CAAPP permit appeal contemporaneous with the issuance of a final CAAPP by IEPA to ABITEC.

3. On June 27, 2006, IEPA issued to ABITEC a final CAAPP permit.

4. ABITEC has completed its review of the final CAAPP permit and seeks to withdraw the CAAPP permit appeal.

WHEREFORE, ABITEC respectfully requests the IPCB grant its Motion to Withdraw Appeal.

Dated: August 29, 2006

Respectfully submitted,

ABITEC CORPORATION

A handwritten signature in black ink, appearing to read 'Thor W. Ketzback', written over a horizontal line.

Thor W. Ketzback

Thor W. Ketzback, Esq.  
Bell, Boyd & Lloyd LLC  
Three First National Plaza  
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Chicago, Illinois 60602  
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PCB xx-xxx  
(Permit Appeal – Air)

**NOTICE OF FILING**

TO: Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the MOTION TO WITHDRAW APPEAL, copies of which are herewith served upon you.


  
\_\_\_\_\_  
Thor W. Ketzback

Thor W. Ketzback, Esq.  
Bell, Boyd & Lloyd LLC  
Three First National Plaza  
70 West Madison Street  
Chicago, Illinois 60602  
Telephone: 312.372.1121  
Facsimile: 312.827.8000

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that I have served the attached PETITION TO WITHDRAW APPEAL by depositing said document in the United States Mail in Chicago, Illinois on August 29, 2006, upon: the following persons:

Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

  
\_\_\_\_\_  
Thor W. Ketzback