

BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

RECEIVED
CLERK'S OFFICE

JAN 04 2007

STATE OF ILLINOIS
Pollution Control Board

Q&E PROPERTIES, INC.,)
)
Petitioner,)
)
v.) PCB 06-14
) (UST Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

NOTICE OF FILING

TO: 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

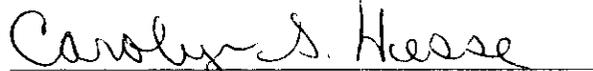
PLEASE TAKE NOTICE that on January 4, 2007, filed with the Clerk of the Illinois Pollution Control Board of the State of Illinois an original, executed copy of a Motion to Dismiss.

Dated: January 4, 2007

Respectfully submitted,

Q&E Properties, Inc.

By:



One of Its Attorneys

Carolyn S. Hesse
Barnes & Thornburg LLP
One North Wacker Drive
Suite 4400
Chicago, Illinois 60606
(312) 357-1313
373063v1

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

Q&E PROPERTIES, INC.,)
)
Petitioner,)
)
v.) PCB 06-14
) (UST Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

RECEIVED
CLERK'S OFFICE
JAN 04 2007
STATE OF ILLINOIS
Pollution Control Board

MOTION TO DISMISS

Now comes Petitioner, Q&E Properties, Inc., 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: January 4, 2007

Respectfully submitted,

Q&E Properties, Inc.

By: Carolyn S. Hesse
One of Its Attorneys

Carolyn S. Hesse, Esq.
Barnes & Thornburg
One North Wacker Drive
Suite 4400
Chicago, Illinois 60606
(312) 357-1313
373054v1

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 4th Day of January, 2007.



Carolyn S. Hesse