

**RECEIVED**  
CLERK'S OFFICE

**STATE OF ILLINOIS**  
**Pollution Control Board**

Respondent.

PCB 04-133  
(UST Appeal)

**TO:** Melanie Jarvis  
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

**PLEASE TAKE NOTICE** that on December 12, 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.

Respectfully submitted,

**Keller Oil Company / Sullivan Super K,**

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  
438258v1


**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:

Melanie Jarvis  
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 12<sup>th</sup> Day of December, 2007.

  
Carolyn S. Hesse

**RECEIVED**  
CLERK'S OFFICE  
DEC 12 2007  
STATE OF ILLINOIS  
Pollution Control Board

Respondent.

PCB 04-133  
(UST Appeal)

Carolyn S Heese  
One of Its Attorneys

[This filing submitted on recycled paper as defined in 35 Ill. Adm. Code 101.202]