

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DALEE OIL COMPANY,)	
<i>Petitioner,</i>)	
)	
v.)	PCB No. 09-17
)	(LUST APPEAL)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
<i>Respondent.</i>)	

PETITIONER'S MOTION TO DISMISS THE APPEAL

Pursuant to Board Rule 105.108(e), 35 ILL. ADM. CODE § 105.108(e), and to the agreement of counsel, petitioner Dalee Oil Company ("Dalee") by its attorneys in this regard, The Sharp Law Firm, P.C., moves for dismissal of the above-captioned appeal.

In support, Dalee states that a new decision was issued on February 24, 2009, which constitutes other grounds for granting Dalee's motion to dismiss under Rule 105.108(e).

March 31, 2009

DALEE OIL COMPANY

By: 
One of its Attorneys

John T. Hundley
Mandy L. Combs
THE SHARP LAW FIRM, P.C.
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Counsel for Petitioner Dalee Oil Company

CERTIFICATE OF SERVICE


I, the undersigned attorney at law, hereby certify that I served the foregoing document upon all persons entitled to same by causing copies to be deposited in the United States Post Office mailbox at 14th and Main Streets, Mt. Vernon, IL, before 6:00 p.m. this date, in envelopes with proper first- class postage affixed, addressed as follows:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

James G. Richardson, Esq.
Illinois Environmental Protection Agency
1021 N. Grand Ave. East
Springfield, IL 62702

Hon. Carol Webb
Illinois Pollution Control Board
1021 N. Grand Ave. East
P.O. Box 19274
Springfield, IL 62794

March 31, 2009



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