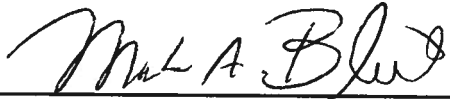


Attorney for Petitioner

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McDERMOTT WILL & EMERY LLP

By: 

MARK A. BILUT

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Attorney for Petitioner

CERTIFICATE OF SERVICE

I, hereby certify that I caused a copy of the foregoing, **PETITIONER'S MOTION TO DISMISS**, and **NOTICE OF FILING** thereof to be filed by hand delivery on February 14, 2013:

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 West Randolph
Chicago, Illinois 60601

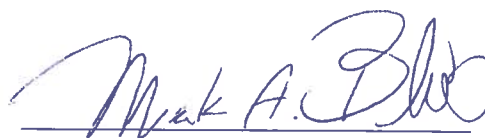
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and a true and correct copy of the same, **PETITIONER'S MOTION TO DISMISS** and **NOTICE OF FILING** thereof to be delivered by First Class U.S. Mail on February 14, 2013 to the following:

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Ctr., Suite 11-500
100 West Randolph
Chicago, Illinois 60601

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