

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RON BRIGHT,)
)
 Petitioner,)
)
 v.) **PCB 16-88**
) **(Permit Appeal)**
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

NOTICE OF FILING

To: See attached service list

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board by electronic filing the following Response to Motion to Voluntarily Dismiss, a copy of which is attached and hereby served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY,

By LISA MADIGAN, Attorney General,
State of Illinois

MATTHEW J. DUNN, Chief,
Environmental Enforcement/Asbestos
Litigation Division

BY: s/Raymond Callery
Raymond Callery
Assistant Attorney General

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RESPONSE TO MOTION TO VOLUNTARILY DISMISSAL APPEAL

Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), by Lisa Madigan, Attorney General of the State of Illinois, responds as follows to the Motion to Voluntarily Dismiss Appeal filed by Petitioner on April 13, 2017:

1. Respondent has no objection to the Motion to Voluntarily Dismiss.

2. The miscellaneous fill material has now been removed from the site and taken to a nearby landfill for proper disposal pursuant to a Non-Special Waste Certification (“NSW Certification”) submitted by Petitioner. The NSW Certification provides that the requirements of §22.48(a) of the Illinois Environmental Protection Act, 415 ILCS 5/22.48(a) (2016), have been satisfied.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY,

By LISA MADIGAN, Attorney General,
State of Illinois

MATTHEW J. DUNN, Chief,
Environmental Enforcement/Asbestos
Litigation Division

BY: s/Raymond J. Callery
Raymond J. Callery, # 6193579
Assistant Attorney General

CERTIFICATE OF SERVICE

Raymond Callery, Assistant Attorney General, hereby certifies that he has served a copy of the foregoing Response to Motion to Voluntarily Dismiss upon:

Thomas J. Immel
FeldmanWasser
1307 South Seventh Street
Springfield, IL 62703
timmel@feldman-wasser.com

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Springfield, IL 62794
Carol.Webb@Illinois.gov

via electronic mail on April 20, 2017.

s/Raymond J. Callery
RAYMOND J. CALLERY
Assistant Attorney General

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