

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PREMCOR REFINING GROUP,)	
)	
Petitioner,)	
)	
v.)	PCB 04-66
)	(RCRA Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Mr. Don Brown	Carol Webb, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	1021 North Grand Avenue East
Suite 11-500	Post Office Box 19274
Chicago, Illinois 60601	Springfield, Illinois 62794-9274
(VIA ELECTRONIC MAIL)	(VIA ELECTRONIC MAIL)

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the **MOTION FOR VOLUNTARIY DISMISSAL**, a copy of which is hereby served upon you.

Respectfully submitted,
HEPLERBROOM, LLC,

Dated: August 6, 2018

By: /s/ Edward W. Dwyer
 One of Its Attorneys

Edward W. Dwyer
HEPLERBROOM, LLC
4340 Acer Grove Drive
Springfield, Illinois 62711
Edward.Dwyer@heplerbroom.com
(217) 528-3674

CERTIFICATE OF SERVICE

I, the undersigned, on oath state the following:

That I have served the attached **MOTION FOR VOLUNTARIY DISMISSAL** via
electronic mail upon:

Mr. Don Brown
Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

Carol Webb, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

Jim Morgan
Division of Legal Counsel
Air Enforcement
Illinois Environmental Protection Agency
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Raymond J. Callery
Matthew A. Walker
Assistant Attorney General
500 South Second Street
Springfield, Illinois 62706

That my email address is Edward.Dwyer@heplerbroom.com.

That the number of pages in the email transmission is 4 pages.

That the email transmission took place before 5:00 p.m. on the date of August 6, 2018.

/s/ Edward W. Dwyer
Edward W. Dwyer

Date: August 6, 2018

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

THE PREMCOR REFINING)	
GROUP INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 2004-66
)	(RCRA Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

MOTION FOR VOLUNTARY DISMISSAL

THE PREMCOR REFINING GROUP INC. (“Premcor” or “Petitioner”), by and through its attorneys, HEPLERBROOM, LLC, and pursuant to 35 Ill. Adm. Code 101.500 hereby voluntarily moves to dismiss the above captioned permit appeal. In support of its Motion, the Petitioner provide as follows:

1. On July 26, 2018, in the case: *People v. The Premcor Refining Group Inc., et al.* 03-CH-0459, (Madison County), presiding Judge Barbara Crowder issued an Order granting the Motion for Good Faith Finding filed by Premcor in that proceeding on May 22, 2018, and entered the companion Consent Order filed with the Court by Premcor and the State of Illinois.
2. Pursuant to section VII.B.1. of the entered Consent Order, Premcor is voluntarily dismissing this proceeding.
3. This voluntary dismissal is without prejudice to Petitioner’s ability to prosecute challenges to any permit issued to any other facility owned or operated by the Petitioner, and to any claims it may have with respect to future permits for this facility.
4. Petitioner further requests that the Board order each party to bear its own costs and fees for this permit appeal.

5. Petitioner contacted counsel for Respondent who stated he had no objection to this motion.

WHEREFORE, the Parties respectfully request that the Board Grant the Motion for Voluntary Dismissal.

Dated: August 6, 2018

Respectfully submitted,

THE PREMCOR REFINING GROUP INC.,
Petitioner,

By: /s/ Edward W. Dwyer

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