

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NACME STEEL PROCESSING, L.L.C.)

Petitioner,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

Respondent.

)
)
) PCB 2015-153
)
)
)
)
)

NOTICE OF FILING

To:

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

Nancy J. Tikalsky
Office of the Attorney General
69 W. Washington Street
Suite 1800
Chicago, Illinois 60602

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

Christopher J. Grant
Office of the Attorney General
69 W. Washington Street
Suite 1800
Chicago, Illinois 60602

PLEASE TAKE NOTICE that we have today filed with the Office of the Clerk of the Pollution Control Board MOTION TO VOLUNTARILY DISMISS APPEAL, a copy of which is herewith served upon you.

Dated: December 16, 2015

Respectfully submitted,

NACME STEEL PROCESSING, L.L.C.,
Petitioner

By: _____


One of Its Attorneys

Edward Walsh
Reed Smith, LLP
10 South Wacker Drive
Suite 4000
Chicago, Illinois 60606
(312) 207-1000

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NACME Steel Processing, L.L.C.,)	
)	
<i>Petitioner,</i>)	
)	
v.)	PCB 2015-153
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
<i>Respondent.</i>)	

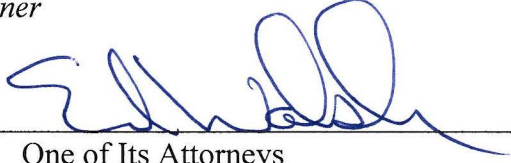
MOTION TO VOLUNTARILY DISMISS APPEAL

NOW COMES Petitioner, NACME STEEL PROCESSING, L.L.C. (“NACME”), by and through one of its attorneys, Ed Walsh, and moves the Board to voluntarily dismiss this permit appeal pursuant to 35 IAC § 101.504, and in support of its motion, states as follows:

1. NACME appealed herein the issuance by IEPA of a Federally Enforceable State Operating Permit (“FESOP”) which included language asserting that NACME was subject to the Standards For Performance For Metal Coil Surface Coating pursuant to 40 CFR 60, Subpart TT (the “Coating Rule”).
2. Upon application by NACME, the IEPA has issued a revised permit removing the language asserting that NACME is subject to the Coating Rule.
3. By its terms, the revised FESOP becomes effective only upon withdrawal of applicant’s appeal herein.
4. Accordingly, NACME moves to voluntarily dismiss its appeal herein, the parties having reached agreement on the subject matter.

Respectfully submitted,

NACME STEEL PROCESSING, L.L.C.,
Petitioner

By: 
One of Its Attorneys

December 16, 2015

Ed Walsh
Reed Smith, LLP
10 South Wacker Drive
Suite 4000
Chicago, Illinois 60606
(312) 207-1000

CERTIFICATE OF SERVICE

I, the undersigned certify that on this 16th day of December, 2015, I served true and correct copies of a MOTION TO VOLUNTARILY DISMISS APPEAL upon the persons and by the methods as follows:

[Electronic Filing]

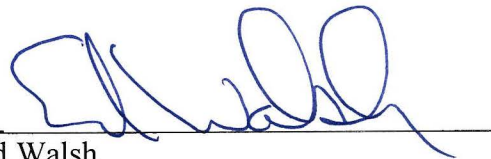
John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, IL 60601
John.Therriault@illinois.gov

Mr. Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois
Brad.Halloran@illinois.gov

[First Class U.S. Mail]

Nancy J. Tikalsky
Assistant Attorney General
Office of the Illinois Attorney General
69 West Washington Street, Suite 1800
Chicago, IL 60602

Christopher J. Grant
Office of the Illinois Attorney General
69 West Washington Street, Suite 1800
Chicago, IL 60602



Ed Walsh
ReedSmith, LLP
10 South Wacker Drive
Chicago, IL 60606-7507
(312) 207-1000