

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

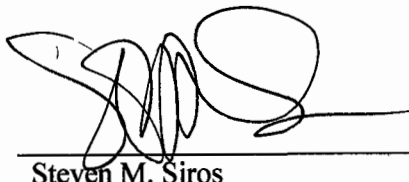
NATIONAL CITY ENVIRONMENTAL, LLC, and NATIONAL CITY RECYCLING LLC,)	
)	
Petitioners,)	
)	
vs.)	PCB No. 03-138
)	PCB No. 03-139
)	PCB No. 03-140
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	(Permit Appeal)
)	(Consolidated)
Respondent.)	

NOTICE OF ELECTRONIC FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on October 28, 2014, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, National City Environmental, LLC and National City Recycling, LLC's Motion for Voluntary Dismissal, a copy of which is attached hereto and herewith served upon you.

By: _____



Steven M. Siros

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Attorney for Petitioners
National City Environmental, LLC and
National City Recycling, LLC

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NATIONAL CITY ENVIRONMENTAL, LLC, and NATIONAL CITY RECYCLING LLC,)	
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Petitioners,)	
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)	PCB No. 03-138
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)	(Permit Appeal)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	(Consolidated)
)	
Respondent.)	

PETITIONERS' MOTION FOR VOLUNTARY DISMISSAL

NOW COMES Petitioners, National City Environmental, LLC ("NCE") and National City Recycling, LLC ("NCR"), by their undersigned attorney, and files their Motion for Voluntary Dismissal pursuant to 35 Ill. Adm. Code § 101.500. In support thereof, Petitioners state as follows:

1. On March 5, 2003, NCE and NCR timely filed three petitions with the Illinois Pollution Control Board ("Board"). Each petition concerned a different permit decision of the Illinois Environmental Protection Agency ("Agency"). These three petitions were docketed as PCB 03-138, PCB 03-139, and PCB 03-140 (the "Permit Appeals").
2. On March 7, 2003, NCE and NCR filed motions to consolidate the Permit Appeals.
3. On March 20, 2003, the Board granted NCE and NCR's motions to consolidate the Permit Appeals.
4. The Permit Appeals remain pending before the Board.

5. As of the last status hearing on September 29, 2014, Petitioners and Respondent reported that the Permit Appeals will be resolved in conjunction with a related enforcement proceeding: *People v. National City Environmental, LLC, and National City Recycling, LLC*, PCB 06-115 (the "Enforcement Proceeding").

6. On October 21, 2014, the People filed a Stipulation and Proposal for Settlement in the Enforcement Proceeding that will resolve that proceeding once the Board approves it.

7. Because the parties to the Enforcement Proceeding intended that resolving the Enforcement Proceeding would additionally resolve the Permit Appeals, Petitioners here to the Permit Appeals no longer seek to appeal the permit decisions underlying the Permit Appeals.


* * *

WHEREFORE, Petitioners pray for an Order from the Board dismissing the Permit Appeals and closing the dockets of PCB 03-138, PCB 03-139, and PCB 03-140.

Respectfully submitted,

NATIONAL CITY ENVIRONMENTAL, LLC,
an Illinois limited liability corporation, and
NATIONAL CITY RECYCLING, LLC, an Illinois
limited liability corporation,

By:

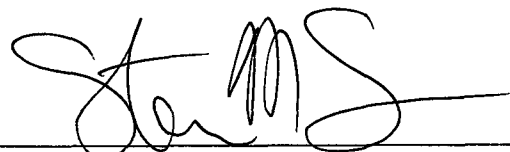

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Dated: October 28, 2014

CERTIFICATE OF SERVICE

NOW COMES Steven M. Siros, counsel for Petitioners, National City Environmental, LLC and National City Recycling, LLC, both Illinois limited liability corporations, and provides proof of service of the attached National City Environmental, LLC and National City Recycling, LLC's Motion for Voluntary Dismissal and Notice of Electronic Filing upon the parties listed on the attached Service List, by having a true and correct copy affixed with proper postage placed in the U.S. Mail at Jenner & Block LLP, 353 North Clark Street, Chicago, IL 60654-3456, on October 28, 2014.

By: 
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Attorney for Petitioners
National City Environmental, LLC and
National City Recycling, LLC

Dated: October 28, 2014

SERVICE LIST

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