

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

LONE STAR INDUSTRIES, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 03-94
)	(CAAPP Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Mr. John T. Therriault	Carol Webb, Esq.
Assistant 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 19276
Chicago, Illinois 60601	Springfield, Illinois 62794-9274
(VIA ELECTRONIC MAIL)	(VIA FIRST CLASS 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 a copy **MOTION FOR VOLUNTARY DISMISSAL**, a copy of which is hereby served upon you.

Respectfully submitted,

LONE STAR INDUSTRIES, INC.,
Petitioner,

Dated: April 8, 2014

By: /s/ Katherine D. Hodge
Katherine D. Hodge

Katherine D. Hodge
N. LaDonna Driver
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

THIS FILING SUBMITTED ON RECYCLED PAPER

CERTIFICATE OF SERVICE

I, Katherine D. Hodge, the undersigned, hereby certify that I have served the
attached MOTION FOR VOLUNTARY DISMISSAL upon:

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

via electronic mail on April 8, 2014; and upon:

Carol Webb, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9274

Robb Layman, Esq.
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

by depositing said documents in the United States Mail, postage prepaid, in Springfield,
Illinois on April 8, 2014.

/s/ Katherine D. Hodge

Katherine D. Hodge

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

LONE STAR INDUSTRIES, INC.,)	
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)	
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MOTION FOR VOLUNTARY DISMISSAL

NOW COMES Petitioner, LONE STAR INDUSTRIES, INC. d/b/a Buzzi Unicem USA ("Petitioner"), by and through its attorneys, HODGE DWYER & DRIVER, pursuant to 35 Ill. Admin. Code § 101.500, and moves the Illinois Pollution Control Board ("Board") to dismiss this action. In support of this Motion, Petitioner states as follows:

1. On December 27, 2002, Petitioner filed a Petition for Review ("Petition") of the Clean Air Act Permit Program ("CAAPP") permit issued to Petitioner by the Illinois Environmental Protection Agency ("Illinois EPA") on November 22, 2002. Petitioner also requested a Motion to Stay Effective of the CAAPP Permit.
2. On January 9, 2003, the Board accepted Petitioner's Petition for hearing and granted the Stay until the Board's final action in this matter or until the Board orders otherwise. Board Order, *Lone Star v. Illinois EPA*, PCB No. 03-94 (Ill.Pol.Control.Bd. Jan. 9, 2003).
3. Petitioner and Respondent resolved the issues related to this appeal, and Respondent issued a Lifetime Operating Permit on February 4, 2014.
4. On March 11, 2014, Petitioner submitted to Respondent a request for withdrawal of the stayed CAAPP Permit and pending application documents.

5. On March 25, 2014, Respondent sent to Petitioner an acknowledgment of receipt of request and confirmed withdrawal of Petitioner's CAAPP Permit in accordance with same. A copy of the letter from Raymond E. Pilapil, Illinois EPA, dated March 25, 2014, is attached hereto.

6. Counsel for Respondent does not object to this Motion.

WHEREFORE, Petitioner, LONE STAR INDUSTRIES, INC., respectfully requests that the Board enter an Order dismissing this action.

Respectfully submitted,

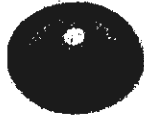
LONE STAR INDUSTRIES, INC.,
Petitioner,

Dated: April 8, 2014

By: Katherine D. Hodge
One of Its Attorneys

Katherine D. Hodge
N. LaDonna Driver
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
(217) 523-4900

LONE:001/Filings/PCB No. 03-94/Motion for Voluntary Dismissal



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19506, SPRINGFIELD, ILLINOIS 62794-9506-(217) 782-2113

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

217/785-1705

March 25, 2014

Hodge Dwyer & Driver
Attn: Katherine Hodge
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776

Application No.: 95080005
I.D. No.: 099816AAF
OPERATION of: Lone Star Industries Inc., Title V Operating Permit
Letter Dated: March 11, 2014

The Illinois EPA hereby acknowledges the receipt of your above-referenced letter and confirms the withdrawal of Lone Star Industries Inc. Title V operating permit in accordance with your request.

If you have any questions concerning this matter, please contact Lori Pennington at 217/785-1705.

A handwritten signature in cursive script that reads "Raymond E. Pilapil". To the right of the signature is a small handwritten mark that appears to be "RUB".

Raymond E. Pilapil, Acting Manager
Permit Section
Division of Air Pollution Control

REP:LP:psj

cc: Region 2