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OCT 15 2008  
STATE OF ILLINOIS  
Pollution Control Board

OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

October 10, 2008

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

Re: ***People v. Meyers Industries, Inc.***  
**PCB No. 09-16**

Dear Clerk:

Enclosed for filing please find the original and ten copies of a Notice of Filing and Motion to Amend by Interlineation in regard to the above-captioned matter. Please file the originals and return file-stamped copies to me in the enclosed envelope.

Thank you for your cooperation and consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stephen J. Janasie".

Stephen J. Janasie  
Environmental Bureau  
500 South Second Street  
Springfield, Illinois 62706  
(217) 782-9031

SJJ:pjk  
Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. )  
)  
MII, INC., )  
)  
Respondent. )

PCB No. 09-16

NOTICE OF FILING

To: MEYERS INDUSTRIES, INC.  
c/o Paul E. Presney  
726 South Second Street  
Springfield, IL 62704

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Pollution Control Board

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, a MOTION TO AMEND BY INTERLINEATION, copies of which are attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,  
Attorney General of the  
State of Illinois

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

BY:   
STEPHEN JANASIE  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated: October 10, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that I did on October 10, 2008, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF FILING and MOTION TO AMEND BY INTERLINEATION

To: MEYERS INDUSTRIES, INC.  
c/o Paul E. Presney  
726 South Second Street  
Springfield, IL 62704

and the original and ten copies by First Class Mail with postage thereon fully prepaid of the same foregoing instrument(s):

To: Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 West Randolph  
Chicago, Illinois 60601

A copy was also sent by First Class Mail with postage thereon fully prepaid to:

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

  
\_\_\_\_\_  
Stephen Janasie  
Assistant Attorney General

This filing is submitted on recycled paper.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. )  
)  
MII, INC., )  
)  
Respondent. )

PCB No. 09-16

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Pollution Control Board

MOTION TO AMEND BY INTERLINEATION

NOW COMES the Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and moves this Board to permit amendment of the previously entered Complaint by interlineation. In support of this motion, the Complainant states as follows:

1. On September 12, 2005, Complainant filed a Complaint before the Board.
2. On the first page of that Complaint, there are two typographical artifacts regarding the Respondent's name.
3. Attached is the corrected page.

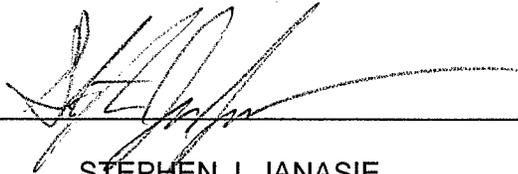
WHEREFORE, Plaintiff respectfully prays that this Court grant the Motion for Amendment by Interlineation by substitution of the attached page for the original.

Respectfully Submitted,

PEOPLE OF THE STATE OF ILLINOIS,  
LISA MADIGAN,  
Attorney General  
of the State of Illinois,

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

By

A handwritten signature in black ink, appearing to read 'S. Janasie', is written over a horizontal line.

STEPHEN J. JANASIE  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
217/782-9031  
Dated: October 9, 2008

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>PEOPLE OF THE STATE OF ILLINOIS,</b>	)	
	)	
<b>Complainant,</b>	)	
	)	
v.	)	<b>PCB No. 09-16</b>
	)	
<b>MII, INC.,</b>	)	
	)	
<b>Respondent.</b>	)	

**COMPLAINT**

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, complains of Respondent, MII, INC., as follows:

**COUNT I**  
**OPEN DUMPING**

1. This count is brought on behalf of the People of the State of Illinois, ex rel. Lisa Madigan, the Attorney General of the State of Illinois, on her own motion and at the request of the Illinois Environmental Protection Agency ("Illinois EPA"), pursuant to Section 31 of the Illinois Environmental Protection Act ("the Act"), 415 ILCS 5/31 (2006).

2. The Illinois EPA is an agency of the State of Illinois created by the Illinois General Assembly in Section 4 of the Act, 415 ILCS 5/4 (2006), and charged, *inter alia*, with the duty of enforcing the Act.

3. The Respondent, MII, INC. ("MII"), is a Delaware corporation in good standing. Attorney Paul E. Presney, 726 South Second Street, Springfield, Illinois 62704 is the company's registered agent.

4. At all times relevant to this Complaint, MII was the owner of a manufacturing facility ("facility") located at 2200 West 5<sup>th</sup> Street Road, Lincoln, Illinois 62656. MII manufactured store fixtures and shelving of particle board, wood, and laminates at the facility.

5. On September 7, 2006, Illinois EPA performed an inspection of the facility.