

THE ILLINOIS POLLUTION CONTROL BOARD

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PEOPLE OF THE STATE OF)
ILLINOIS,)
)
Complainant,)
)
v.)
)
JACOBS ENERGY CORP.,)
an Iowa corporation,)
)
Respondent.)

STATE OF ILLINOIS
Pollution Control Board

PCB NO. 00-180
(Enforcement Land, Air)

REQUEST FOR MODIFICATION OF ORDER

Now Comes, Jacobs Energy, by its attorney Law Offices Roland A Eckert, Roland A Eckert and requests the Board amend its Order of August 11, 2003 and in support thereof states as follows:

- 1. The People of the State of Illinois at the request of the Illinois Environmental Protection Agency, Complainant and Jacobs Energy, Respondent entered into a Stipulation and Proposal For Settlement (the "Agreement") with respect to the matters advanced in the Complaint.
- 2. On July 11, 2003 the Board entered its Opinion and Order (the "Order") which provided in pertinent part:

ORDER

- 1. The Board accepts and incorporates by reference the stipulation and proposed settlement.
- 2. Respondent must pay a civil penalty of \$10,500 related August 11, 2003, which is the 30th day after the date of this order. Respondent must pay to civil penalty by certified check or money order, payable to the Illinois Fireman of Trust Fund. The case number, Case named, and respondent's Social Security number or federal employer identification number must be included on the certified check or money order.
- 3. The Agreement provided in pertinent part:

IX
PROPOSAL FOR SETTLEMENT

- 1. Respondent JACOBS ENERGY CORP. shall begin payments on a total penalty of \$10,500 (ten thousand five hundred dollars) within thirty (30) days of the Board's Order approving this Stipulation and Proposal for Settlement.

Respondent shall make six payments of \$1750 (one thousand seven hundred fifty dollars) every 30 days. Payment shall be made by certified check made payable to, "Illinois Environmental Protection Agency, for deposit into the Illinois Protection Trust Fund," and shall be submitted to:

Illinois Internal Protection Agency
Fiscal Service's Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

The name, number of the case, and Respondent's Federal Employer Identification Number ("FEIN") shall appear on the check. A copy of the check and payment transmittal shall be simultaneously submitted to:

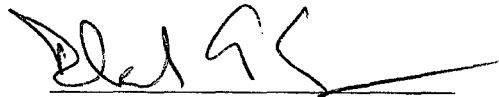
Donna Lutes
Illinois Attorney General's Office
Environmental Bureau
500 South 2nd Street
Springfield, Illinois 6706

4. The Order, at paragraphs 1 and 2, is internally inconsistent as the provisions for payment contained in the Agreement, incorporated by reference by paragraph 1, call for a series of 6 installment payments of \$1750 beginning August 11, 2003 and every 30 days thereafter until the sum of \$10,500 has been paid as opposed to the payment of \$10,500 by August 11, 2003 and set out in paragraph 2 of the Order.

WHEREFORE, Respondent, Jacobs Energy Corp., requests the Board modify its Order of August 11, 2003 to conform to the Agreement and provide at paragraph 2 as follows:

2. Respondent must pay a civil penalty in the total amount of \$10,500 in six equal installments of \$1750 commencing not later than August 11, 2003 which is 30 days after the date as this Order and ending not later than January 11, 2004. Respondent must pay the civil penalty by certified check or money order, payable to the Illinois Environmental Protection Agency, for deposit into the Environmental Trust Fund.

Respectfully submitted,
Jacobs Energy Corp.



By: Roland A Eckert
Its Attorney