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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SEP 20 2004

STATE OF ILLINOIS  
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
Complainant, )  
 )  
vs. )  
 )  
MECALUX ILLINOIS, INC. a Delaware )  
corporation, )  
 )  
Respondent. )

No. PCB 03-222  
(Enforcement)

**NOTICE OF FILING**

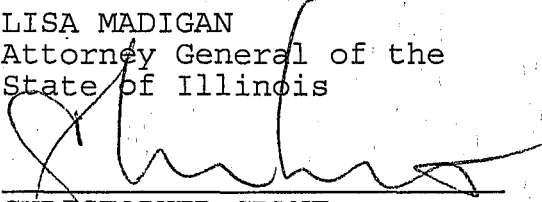
PLEASE TAKE NOTICE that we have today, September 20, 2004, filed with the Office of the Clerk of the Illinois Pollution Control Board an original and nine copies of Motion to File Amended Complaint, a copy of which is attached herewith and served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN  
Attorney General of the  
State of Illinois

BY:

  
CHRISTOPHER GRANT  
Assistant Attorney General  
Environmental Bureau  
188 W. Randolph St., 20<sup>th</sup> Flr.  
Chicago, IL 60601  
(312) 814-5388

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SEP 20 2004

STATE OF ILLINOIS  
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PEOPLE OF THE STATE OF ILLINOIS, )  
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 Complainant, )  
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 MECALUX ILLINOIS, INC. a Delaware )  
 corporation, )  
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 Respondent. )

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MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and moves the Board for leave to file its First Amended Complaint. In support thereof, Complainant states as follows:

1. On June 6, 2003, Complainant filed a two count complaint against the Respondent, alleging violations of Illinois Environmental Protection Act ("Act"), 415 ILCS 5/1 et seq. (2002), and the Board's Air Pollution regulations. On August 11, 2003, the Respondent filed its answer.

2. Following the filing of the original complaint, Illinois EPA notified the Respondent of additional violations of the Act, unrelated to the violations alleged in the original complaint. Respondent has agreed to waive the notice and meeting requirements contained in Section 31 of the Act, 415 ILCS 5/31 (2002), for these additional alleged violations.

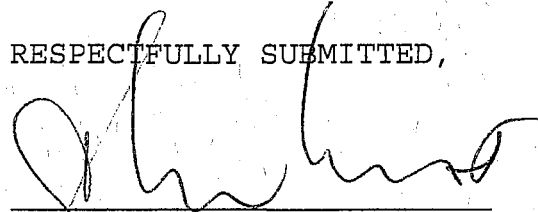
3. Complainant does not believe that amending the

Complaint will delay resolution of Counts I and II of the original complaint. Rather, Complainant believes that incorporating the newly alleged violations into the instant case will be in the best interests of the parties, and will save time and Board resources.

WHEREFORE, Complainant respectfully requests that the Board grant it leave to file its First Amended Complaint.

RESPECTFULLY SUBMITTED,

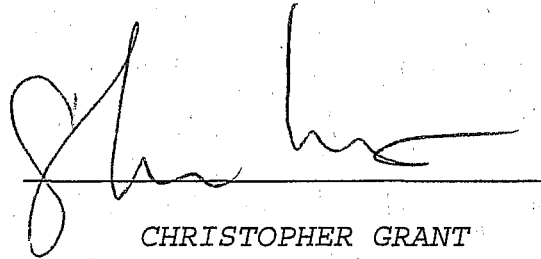
By:



Christopher Grant  
Assistant Attorney General  
Environmental Bureau  
188 W. Randolph St., 20<sup>th</sup> Flr.  
Chicago, Illinois 60601  
(312) 814-5388

CERTIFICATE OF SERVICE

I, CHRISTOPHER GRANT, an attorney, do certify that I caused to be served this 20th day of September, 2004, the foregoing Motion for Leave to Amended Complaint, and Notice of Filing, upon the persons listed below, by first class mail, by placing same in an envelope bearing sufficient postage with the United States Postal Service located at 100 W. Randolph, Chicago Illinois and addressed to:



CHRISTOPHER GRANT

Service List:

Mr. Richard Saines  
Baker & McKenzie  
130 E. Randolph  
Suite 3500  
Chicago, IL 60601

Mr. Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph,  
Chicago, Illinois 60601  
(By Hand Delivery)