

Please respond to: Capitol Square Office
Direct line: 608-252-9345
Email: hjh@dewittross.com

March 2, 2012

Illinois Pollution Control Board
Attn: Clerk
100 W. Randolph St.
James R. Thompson Center
Ste. 11-500
Chicago, IL 60601-3218

RE: State of Illinois v. U.S. Chrome Corporation of Illinois, Inc.
Case No. PCB 11-24

Dear Clerk:

Enclosed please find ten copies of the Joint Stipulation on Respondent's Affirmative Defenses and Order, along with the attached Certificate of Service.

Thank you for your attention to this matter.

Sincerely,

DEWITT ROSS & STEVENS s.c.


Henry J. Handzel, Jr.

HJH:mso

Enclosure

cc: George D. Theophilos, Esq., Illinois Asst. Attorney General
Bradley P. Halloran, Esq., Hearing Officer,

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**PEOPLE OF THE STATE OF
ILLINOIS,**

Complainant,

v.

Case No. PCB 11-24

**U.S. CHROME CORPORATION OF
ILLINOIS, a Connecticut corporation,**

Respondent.

**JOINT STIPULATION ON RESPONDENT'S
AFFIRMATIVE DEFENSES**

The parties, by and through their undersigned counsel, hereby submit this Joint Stipulation On Respondent's Affirmative Defenses. As part of this stipulation, the parties agree as follows:

1. All of Respondent's affirmative defenses identified in its July 26, 2011 Answer are hereby withdrawn.
2. Respondent continues to have the right to assert the arguments previously raised in its affirmative defenses as part of its defense to liability and/or in its request to limit civil penalties. Complainant's Motion To Strike Respondent's Affirmative Defenses is hereby withdrawn. Complainant is not waiving any right it has to object to the arguments previously raised in Respondent's affirmative defenses that Respondent may subsequently raise as part of its defense to liability and/or in its request to limit civil penalties.

Dated this 2nd day of March, 2012.

**OFFICE OF THE ILLINOIS ATTORNEY
GENERAL**

BY: 

George D. Theophilos
Assistant Attorney General
69 West Washington Street, Suite 1800
Chicago, IL 60602
312-814-6986

Attorneys for Complainant

DEWITT ROSS & STEVENS S.C.

BY: 

Henry J. Handzel, Jr. (#1014587)
Two East Mifflin Street, Suite 600
Madison, WI 53703-2865
608-255-8891

Attorneys for Respondent, U.S. Chrome
Corporation of Illinois

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,

Complainant,

v.

Case No. PCB 11-24

U.S. CHROME CORPORATION OF
ILLINOIS, a Connecticut corporation,

Respondent.

ORDER

Upon the above Joint Stipulation of the parties, IT IS HEREBY ORDERED that:

1. All of Respondent's affirmative defenses identified in its Answer are withdrawn.

2. Respondent continues to have the right to assert the arguments previously identified in its affirmative defenses as part of its defense to liability and/or in its request to limit civil penalties. Complainant is not waiving any right it has to object to the arguments previously raised in Respondent's affirmative defenses that Respondent may subsequently raise as part of its defense to liability and/or in its request to limit civil penalties.

3. Complainant's Motion To Strike Respondent's Affirmative Defenses is withdrawn.

ILLINOIS POLLUTION CONTROL
BOARD

Bradley P. Halloran
Hearing Officer
James R. Thompson Center, Ste. 11-500
100 W. Randolph Street
Chicago, IL 60601
312-814-8917

CERTIFICATE OF SERVICE

I, the undersigned, on oath or affirmation, state that on March 2, 2012, I served the attached Joint Stipulation on Respondent's Affirmative Defenses and Order by:

 X U.S. First Class Mail

 certified mail (attach copy of receipt if available, otherwise you must file receipt later with Clerk)

 registered mail (attach copy of receipt if available, otherwise you must file receipt later with Clerk)

 messenger service (attach copy of receipt if available, otherwise you must file receipt later with Clerk)

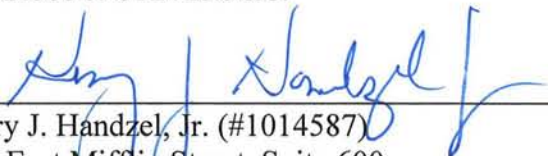
 personal service (attach affidavit if available, otherwise you must file affidavit later with Clerk)

on the following parties at the addresses below:

Name: George D. Theophilos, Esq.
Assistant Attorney General
Environmental Bureau
69 West Washington Street, 18th Floor
Chicago, IL 60602

Bradley P. Halloran, Esq.
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, IL 60601

DEWITT ROSS & STEVENS S.C.

By: 
Henry J. Handzel, Jr. (#1014587)
Two East Mifflin Street, Suite 600
Madison, WI 53703-2865
608-255-8891

Attorneys for Respondent, U.S. Chrome Corporation
of Illinois

Subscribed to and sworn to before
me this 2 day of March, 2012.



Notary Public

My commission expires: 7/19/2015