

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

|                                   |   |                        |
|-----------------------------------|---|------------------------|
| CHEM-PLATE INDUSTRIES, INC.,      | ) |                        |
|                                   | ) |                        |
| Petitioner,                       | ) |                        |
|                                   | ) |                        |
| v.                                | ) | PCB 26- 52             |
|                                   | ) | (Permit Appeal – RCRA) |
| ILLINOIS ENVIRONMENTAL PROTECTION | ) |                        |
| AGENCY,                           | ) |                        |
|                                   | ) |                        |
| Respondent.                       | ) |                        |

**NOTICE OF ELECTRONIC FILING**

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**PLEASE TAKE NOTICE** that on July 29, 2026, **Chem-Plate Industries, Inc.** electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the UNOPPOSED MOTION TO CORRECT BY INTERLINEATION THE CAPTION AND PARTY NAME BECAUSE OF A MISNOMER, a copy of which is hereby served upon you.

/s/ Ann M. Zwick

Ann M. Zwick

Dated: July 29, 2026

Philip L. Comella

Ann M. Zwick

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**CERTIFICATE OF E-MAIL SERVICE**

The undersigned attorney certifies that she served a copy of the foregoing NOTICE OF ELECTRONIC FILING and UNOPPOSED MOTION TO CORRECT BY INTERLINEATION THE CAPTION AND PARTY NAME BECAUSE OF A MISNOMER, to the above-listed parties, by sending a copy to the email addresses designated above on or before 4:30 p.m. on July 29, 2026.

/s/ Ann M. Zwick

One of the Attorneys for Chem-Plate  
Industries, Inc.

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

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| AGENCY,                           | ) |                        |
|                                   | ) |                        |
| Respondent.                       | ) |                        |

**UNOPPOSED MOTION TO CORRECT BY INTERLINEATION THE CAPTION AND PARTY NAME BECAUSE OF A MISNOMER**

NOW COMES Petitioner Chem-Plate Industries, Inc. (“Petitioner” or “Chem-Plate”), by its attorneys, and hereby moves the Board to correct the caption and Petitioner’s name in this matter by interlineation, pursuant to 35 Ill. Admin. Code 101.100(b) and 101.500(a), and 735 ILCS 5/2-401(b). In support thereof, Petitioner states as follows:

1. On April 7, 2026, Respondent filed a Request for Ninety Day Extension of Appeal Period for Petitioner to petition for a hearing (“Request”), which the Board granted by Order dated April 16, 2026. The Request was docketed as PCB 26-52.

2. The Request inadvertently included a typographical error in the references to Petitioner’s name in the caption and document itself. In the Request, Petitioner’s name was stated as “Chem-Plate Industries, LLC.” However, Petitioner’s name is in fact “Chem-Plate Industries, Inc.” Chem-Plate is an Illinois corporation, not a Limited Liability Company.

3. On July 13, 2026, Petitioner filed a Petition For Review of Illinois EPA Decision (“Petition”), challenging certain conditions in a final decision issued to Petitioner by Respondent on March 3, 2026, using the same incorrect caption and Petitioner name as in the Request. The

reference to “LLC” instead of “Inc.” in the Petition documents was an inadvertent typographical error.

4. As a result of the typographical error, references throughout the Petition documents to “Chem-Plate Industries, LLC” should instead be “Chem-Plate Industries, Inc.”

5. The Board’s Procedural Rules are silent as to correcting a misnomer of a party. Therefore, pursuant to 35 Ill. Admin. Code 101.100(b), the Board may look to the Code of Civil Procedure for guidance.

6. The Code of Civil Procedure provides that a “[m]isnomer of a party is not a ground for dismissal but the name of any party may be corrected at any time, before or after judgment, on motion.” 735 ILCS 5/2-401(b). Per Section 101.202 of the Board’s procedural rules, “misnomer” is defined as “a mistake in the name of a properly included party.” 35 Ill. Admin. Code 101.202.

7. The undersigned has contacted counsel for Respondent, who advised that he does not object to Petitioner’s request.

8. In accordance with 735 ILCS 5/2-401(b), Petitioner respectfully requests to correct the Petition documents and caption by interlineation to correct the misnomer of “Chem-Plate Industries, LLC” to “Chem-Plate Industries, Inc.” The corrected case caption is reflected in the case caption for this Motion.

WHEREFORE, for the reasons stated above, Petitioner Chem-Plate requests that the Board grant this motion to correct the caption and name of the Petitioner in the Petition documents.

Respectfully submitted,

CHEM-PLATE INDUSTRIES, INC.

By: /s/ Ann M. Zwick  
One of Its Attorneys

Dated: July 29, 2026

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