### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)
Complainant,	)
v.	)
ALTIVITY PACKAGING, LLC, a Delaware limited liability company, INTRA-PLANT MAINTENANCE CORPORATION, an Illinois corporation, IRONHUSTLER EXCAVATING, INC., an Illinois corporation, and RON BRIGHT, d/b/a	) PCB No. 12-21 ) (Enforcement – Land) ) )
Quarter Construction,	)
Respondents.	)

## **NOTICE OF ELECTRONIC FILING**

To: See Attached Service List

PLEASE TAKE NOTICE that on January 12, 2012, I electronically filed with the Office of the Clerk of the Pollution Control Board Intra-Plant Maintenance Corporation's Motion for Leave to File Cross-Complaint, a copy of which is herewith served upon you.

CHARLES M. ROCK

CHARLES M. ROCK
HASSELBERG ROCK BELL & KUPPLER LLP
Suite 200 Associated Bank Building
4600 North Brandywine Drive
Peoria, Illinois 61614
Telephone: (309) 688-9400

Fax: (309) 688-9430 c.rock@hrbklaw.com

## **CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that a copy of the foregoing Notice of Electronic Filing and Motion for Leave to File Cross-Complaint has been served upon the following persons by placing the same in a sealed envelope, addressed as stated, with First Class postage fully prepaid and by depositing the same in the United States mail at Springfield, Illinois this 12<sup>th</sup> day of January, 2012:

Thomas J. Immel, Esq. Feldman Wasser Draper & Cox P.O. Box 2418 1307 South Seventh Street Springfield, Illinois 62705

Eleni Kouimelis, Esq. Winston & Strawn LLP 35 W. Wacker Drive Chicago, IL 60601

Raymond Callery, AAG – Environmental Office of the Illinois Attorney General 500 South Second Street Springfield, IL 62706

Carol Webb, Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19274 Springfield, Illinois 62794-9274

And electronically filed with the Clerk of the Pollution Control Board on the same date.

Charles M. Rock

### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)
Complainant,	)
v.	)
ALTIVITY PACKAGING, LLC, a Delaware limited liability company, INTRA-PLANT MAINTENANCE CORPORATION, an Illinois corporation, IRONHUSTLER EXCAVATING, INC., an Illinois corporation, and RON BRIGHT, d/b/a Quarter Construction,	) PCB No. 12-21 ) (Enforcement – Land) )
Respondents.	) )

# INTRA-PLANT MAINTENANCE CORPORATION'S MOTION FOR LEAVE TO FILE CROSS-COMPLAINT

Respondent, Intra-Plant Maintenance Corporation, by its attorneys, Hasselberg, Rock, Bell & Kuppler LLP, requests from the Illinois Pollution Control Board leave to file a Cross-Complaint against Defendant, Ironhustler Excavating, Inc. Such Cross-Complaint was included as part of the Answer and Cross-Complaint filed electronically with the Office of the Clerk of the Pollution Control Board on December 30, 2011

Dated: January 12, 2012

CHARLES M. ROCK

CHARLES M. ROCK
HASSELBERG ROCK BELL & KUPPLER LLP
Suite 200 Associated Bank Building
4600 North Brandywine Drive
Peoria, Illinois 61614
Telephone: (309) 688-9400

Fax: (309) 688-9430

#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)
Complainant,	)
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ALTIVITY PACKAGING, LLC, a Delaware limited liability company, INTRA-PLANT MAINTENANCE CORPORATION, an Illinois corporation, IRONHUSTLER EXCAVATING, INC., an Illinois corporation, and RON BRIGHT, d/b/a Quarter Construction,	) PCB No. 12-21 ) (Enforcement – Land) ) ) )
Respondents.	Ś

### NOTICE OF ELECTRONIC FILING OF CROSS-COMPLAINT

To: Ironhustler Excavating, Inc. c/o Thomas J. Immel, Esq. Feldman Wasser Draper & Cox P.O. Box 2418
1307 South Seventh Street Springfield, Illinois 62705

Notice is given that Intra-Plant Maintenance Corporation has filed a Cross-Complaint against Ironhustler Excavating, Inc. in this cause of action. Failure to file an Answer to this Cross-Complaint within sixty (60) days may have severe consequences. Failure to answer will mean that all allegations in the Complaint will be taken as if admitted for purposes of this proceeding. If you have any questions about this procedure, you should contact the hearing officer assigned to this proceeding, the Clerk's Office or an attorney. The Cross-Complaint was included as part of the Answer and Cross-Complaint electronically filed with the Office of the Clerk of the Pollution Control Board on December 30, 2011, with a copy of such Answer and

# Electronic Filing - Received, Clerk's Office, 1/12/2012

Cross-Complaint mailed to all individuals detailed on the attached Certificate of Service on such date.

Date: January 12, 2012

CHARLES M. ROCK

CHARLES M. ROCK
HASSELBERG ROCK BELL & KUPPLER LLP
Suite 200 Associated Bank Building
4600 North Brandywine Drive
Peoria, Illinois 61614
Telephone: (309) 688-9400

Fax: (309) 688-9430 c.rock@hrbklaw.com

### CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a copy of the foregoing Notice of Electronic Filing of Cross-Complaint has been served upon the following persons by placing the same in a sealed envelope, addressed as stated, with First Class postage fully prepaid and by depositing the same in the United States mail at Springfield, Illinois this 12<sup>th</sup> day of January, 2012:

Thomas J. Immel, Esq. Feldman Wasser Draper & Cox P.O. Box 2418 1307 South Seventh Street Springfield, Illinois 62705

Eleni Kouimelis, Esq. Winston & Strawn LLP 35 W. Wacker Drive Chicago, IL 60601

Raymond Callery, AAG – Environmental Office of the Illinois Attorney General 500 South Second Street Springfield, IL 62706

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And electronically filed with the Clerk of the Pollution Control Board on the same date.

Charles M. Rock