

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 vs.) PCB No. 12-122
) (Enforcement)
 DOUGLAS SCHROEDER,)
)
 Respondent.)

NOTICE OF ELECTRONIC FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on May 21, 2012, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, c/o John T. Therriault, Assistant Clerk, James R. Thompson Center, 100 W. Randolph St., Ste. 11-500, Chicago, IL 60601, a MOTION FOR LEAVE TO AMEND COMPLAINT AND STIPULATION AND PROPOSAL FOR SETTLEMENT BY INTERLINEATION, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: 
JANE E. McBRIDE
Sr. Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: May 21, 2012

CERTIFICATE OF SERVICE

I hereby certify that I did on May 21, 2012, cause to be served by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois, a true and correct copy of the following instruments entitled NOTICE OF ELECTRONIC FILING and MOTION FOR LEAVE TO AMEND COMPLAINT AND STIPULATION AND PROPOSAL FOR SETTLEMENT BY INTERLINEATION upon the persons listed on the Service List.


JANE E. McBRIDE
Sr. Assistant Attorney General

This filing is submitted on recycled paper.

SERVICE LIST

Joel A. Benoit
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1North Old Capitol Plaza
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
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Complainant,)	
)	
v.)	PCB NO. 12-122
)	
DOUGLAS SCHROEDER)	
)	
Respondent)	
)	

**MOTION FOR LEAVE TO AMEND COMPLAINT
AND STIPULATION AND PROPOSAL FOR SETTLEMENT BY INTERLINEATION**

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by Lisa Madigan, Attorney General of the State of Illinois, hereby moves for leave to amend the Complaint and Stipulation filed in this matter on April 23, 2012, by interlineation as follows:

1. On April 23, 2012, a Complaint and a Stipulation and Proposal for Settlement were filed in this matter.
2. Dates included with the factual allegations were inadvertently stated as 2011 dates. In fact, they were 2010 dates.
3. In Count I of the Complaint, paragraph 8 in the first sentence, the correct date of the investigation is September 10, 2010.
4. In Count I of the Complaint, paragraph 12 in the last sentence, the correct date associated with the fire is April 14, 2010.
5. In Count III of the Complaint, paragraph 24, the correct date of the alleged violation is September 10, 2010.
6. In Section I.B.6 of the Stipulation and Proposal for Settlement, the correct date of the alleged violation is September 10, 2010.
7. In Section IV.1 of the Stipulation, the date stated as April 4, 2010 is a typographic error. The correct date is April 14, 2010. The reference is made with regard to the

factual allegation of a fire contained in Count I paragraph 12 of the Complaint.

8. In Section IV.1 of the Stipulation, the date of September 14, 2010 pled as the date upon which the clean up was completed, is correct as originally pled.

9. The forgoing amendments by interlineation have been reviewed by counsel for the Respondent. The Respondent has no objection to this motion and the amendments.


WHEREAS, Complainant respectfully requests that the Board grant leave to amend the Complaint and Stipulation and Proposal for Settlement as stated above, and order that the Complaint and Stipulation and Proposal for Settlement be so amended.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. LISA MADIGAN, Attorney General
of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement Division

BY:


JANE E. MCBRIDE
Sr. Assistant Attorney General

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