

Saxton, Craig

From: Peppersack, Jeff
Sent: Monday, March 26, 2012 8:38 AM
To: Saxton, Craig
Cc: Keen, Shelley
Subject: RE: Request for Reconsideration of License 63-09890

Craig,
Looks like we mailed the license on Feb. 7. The preliminary order became final on the 21st. The Director can modify on his own motion within 28 days, which would have been the 20th of March. That's the same day David Gehlert requested a change. I was thinking we had a little more time.

I think an order to correct should be limited to clerical or procedural errors. I'm not sure of the error in this case, but it doesn't sound like a clerical error based on the prior review of the issue. I did note that David Gehlert was involved in correspondence as the attorney from Dept. of Justice in this matter and related SRBA settlements. He did not receive a copy of the preliminary order. I think we can correct the license on the basis that IDWR did not provide proper notice. Let's amend the license and re-issue it on that basis. The director will not need to sign.

Jeff

From: Saxton, Craig
Sent: Friday, March 23, 2012 12:51 PM
To: Peppersack, Jeff
Cc: Keen, Shelley
Subject: RE: Request for Reconsideration of License 63-09890

Jeff,

We got the petition 43 days after the license was issued. After meeting with Nick, Carter and Jan, I am in agreement that there is an error, but if I understand correctly, we had 42 days in which we could just pull the license and issue a new one. I spoke with Shelley and the plan, unless directed otherwise, is to write an order to correct and error in the license as we have done in the past with errors we have fixed on much older licenses.

Let me know if there is a different direction you would like to go.

Thanks,
Craig

From: Peppersack, Jeff
Sent: Tuesday, March 20, 2012 4:53 PM
To: Saxton, Craig
Cc: Keen, Shelley
Subject: FW: Request for Reconsideration of License 63-09890

Craig,
David Gehlert called me this afternoon to discuss license 63-9890 issued in February, 2012. I asked him to provide something in writing that we could consider. The time period for a petition has passed, but we may be able to have the director sign an amended version (time is limited). First we need to determine if a change is warranted. There are references in the file to a memo issued by Jan Shurte, but I couldn't find the memo. Nick Spencer may have additional insight. Let me know if there are questions, otherwise we can bring to the director if a change is necessary.

Thanks,
Jeff

From: Gehlert, David (ENRD) [mailto:David.Gehlert@usdoj.gov]
Sent: Tuesday, March 20, 2012 4:39 PM
To: Peppersack, Jeff
Cc: Spencer, Nick
Subject: Request for Reconsideration of License 63-09890

Jeff, Attached is the letter we discussed this afternoon.

Nick, Thanks for the head's up and my apologies for misspelling Spencer in the letter.

Thanks,

Dave

David Gehlert
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