

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

MIDWEST GENERATION, LLC)
Dry Sorbent Injection Systems and Related)
Improvements to Electrostatic Precipitators)
for Powerton Generating Station, Unit Nos. 4 & 5)
)
) PCB 21-
) (Tax Certification - Air)
PROPERTY IDENTIFICATION NUMBER)
10-10-09-100-004 and 10-10-08-200-003)

NOTICE

TO: [Electronic filing]
Don Brown, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601

[Service by mail]
Katheryn Tronsberg Macciocca
c/o Duff & Phelps, LLC
2000 Market Street, Suite 2700
Philadelphia, PA 19103

[Service by mail]
Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
P.O. Box 19033
Springfield, Illinois 62794

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Pollution Control Board the **APPEARANCE** and **RECOMMENDATION** of the Illinois Environmental Protection Agency, a paper copy of which is herewith served upon the applicant and a representative of the Illinois Department of Revenue.

Respectfully submitted by,

/s/ Robb H. Layman
Robb H. Layman
Assistant Counsel

Date: August 20, 2020

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
Telephone: (217) 524-9137

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

MIDWEST GENERATION, LLC)	
Dry Sorbent Injection Systems and Related)	
Improvements to Electrostatic Precipitators)	
for Powerton Generating Station, Unit Nos. 4 & 5)	
)	PCB 21-
)	(Tax Certification - Air)
PROPERTY IDENTIFICATION NUMBER)	
10-10-09-100-004 and 10-10-08-200-003)	

APPEARANCE

I hereby file my Appearance in this proceeding on behalf of the Illinois Environmental Protection Agency.

Respectfully submitted by,

/s/ Robb H. Layman

Robb H. Layman
Assistant Counsel

Date: August 20, 2020

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1021 North Grand Avenue East
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10-10-09-100-004 and 10-10-08-200-003)

RECOMMENDATION

NOW COMES the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), through its attorneys, and pursuant to 35 Ill. Adm. Code 125.204 of the ILLINOIS POLLUTION CONTROL BOARD’S (“Board”) procedural regulations, files the Illinois EPA’s Recommendation in the above-referenced request for tax certification of pollution control facilities. The Illinois EPA recommends **issuance** of a tax certification covering the subject matter of the request. In support thereof, the Illinois EPA states as follows:

1. On or about July 30, 2020, the Illinois EPA received an application and supporting information from MIDWEST GENERATION, LLC, (“Midwest Gen”) concerning the proposed tax certification of certain air emission sources and/or equipment located at its Powerton Generating Station in Tazewell County, Illinois. A copy of the application is attached hereto. **[Exhibit A]**.

2. The applicant’s contact information is as follows:

Kathryn Tronsberg Macciocca
c/o Duff and Phelps, LLC
2000 Market Street, Suite 2700
Philadelphia, PA 19103

3. The facility address is as follows:

Midwest Generation, LLC

Powerton Generating Station
13082 E. Manito Rd.
Pekin, IL 61554

4. The subject matter of this request consists of a project installing Dry Sorbent Injection (DSI) Systems to two coal-fired boilers, Unit Nos. 5 and 6, operating at the Powerton Generating Station. The DSI Systems inject a dry sorbent (i.e., commercially known as Trona, which consists, in its mineral form, of sodium carbonate and sodium bicarbonate) into the flue gases of the boilers immediately prior to the Electrostatic Precipitators (“ESPs”) resulting in an endothermic decomposition process (i.e., calcination). *See, Exhibit A*, page 2 of 3. This chemical process results in the control and/or reduction of sulfur dioxide (SO₂) emissions from the flue gases, thus facilitating the facility’s compliance with the Pollution Control Board’s regulations found at 35 Ill. Adm. Code 214.141 (i.e., 1.8 lb/MMBtu of actual heat input per boiler).

5. In addition, the project included modifications to the ESPs to allow for the added loading of particulate matter (PM) to the control train from the sorbent. These improvements correlated in increased control efficiencies of the ESPs in controlling PM emissions and consisted, among other things, of high frequency Transformer Rectifiers (TRs), new collection plates, new discharge electrodes, new perforated plates and rappers.

6. Both components of the project constructed in 2016 represent conventional pollution control technologies that, as described in the application, act to control and/or reduce SO₂ and PM emissions that would otherwise be emitted from the coal-fired boilers.

7. Section 11-10 of the Property Tax Code, 35 ILCS 200/11-10 (2002), defines “pollution control facilities” as:

“any system, method, construction, device or appliance appurtenant thereto, or any portion of any building or equipment, that is designed, constructed, installed or operated for the primary purpose of: (a) eliminating, preventing, or reducing air

or water pollution... or (b) treating, pretreating, modifying or disposing of any potential solid, liquid, gaseous pollutant which if released without treatment, pretreatment, modification or disposal might be harmful, detrimental or offensive to human, plant or animal life, or to property.”

8. Pollution control facilities are entitled to preferential tax treatment, as provided by 35 ILCS 200/11-5 (2002).

9. Based on information in the application and the primary purpose of the DSI Systems and Related Improvements to the ESPs on Unit Nos. 4 and 5 to prevent or reduce air pollution, it is the Illinois EPA’s engineering judgment that the control device and related appurtenances may be considered as “pollution control facilities” in accordance with the statutory definition and consistent with the Board’s regulations at 35 Ill. Adm. Code 125.200.

[Exhibit B].

10. Because the information in the application for the DSI Systems and Related Improvements to the ESPs on Units 4 and 5 satisfies the aforementioned statutory and regulatory criteria, the Illinois EPA recommends that the Board **issue** the applicant’s requested tax certification.

Respectfully submitted by,

/s/ Robb H. Layman
Robb H. Layman
Assistant Counsel

DATED: August 20, 2020

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
Telephone: (217) 524-9137

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of August 2020, I electronically filed the following instruments entitled **NOTICE, APPEARANCE** and **RECOMMENDATION** with:

Don Brown, Clerk
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

and, further, that I did send a true and correct paper copy of the same foregoing instruments, by First Class Mail with postage thereon fully paid and deposited into the possession of the United States Postal Service, to:

Steve Santarelli
Illinois Department of Revenue
101 West Jefferson
P.O. Box 19033
Springfield, Illinois 62794

Katheryn Tronsberg Macciocca
c/o Duff & Phelps, LLC
2000 Market Street, Suite 2700
Philadelphia, PA 19103

/s/ Robb H. Layman
Robb H. Layman
Assistant Counsel

DUFF & PHELPS

Illinois Environmental Protection Agency
ATTN: Ray E. Pilapil, Permit Section
Division of Air Pollution Control
1021 North Grand Ave. East, P.O. Box 19276
Springfield, IL 62794-9276

July 30, 2020

Re: Application for Property Tax Treatment for Air Pollution Control Property located at
Powerton Generating Station in Tazewell County, Illinois

Enclosed please find one application (the "Application") for property tax certification for a Air
Pollution Control Facility located at the Midwest Generation, LLC's Powerton Generating Station
(the "Facility"), located in Pekin, Tazewell County, Illinois.

The Application has been prepared pursuant to Illinois Compiled Statutes § 200/11-5, and
includes any necessary information and supporting documentation. Submission of this Application
is required as a process step in the Illinois Environmental Protection Agency and the Illinois
Department of Revenue pollution control certification process for special value treatment of
certain assets used in water pollution control capacities at the Facility.

The Application can be summarized as follows:

Description

Units #5 & #6 Dry Sorbent Injection System with Modifications to the Units #5 & #6
Electrostatic Precipitators

Please send one copy of the completed property tax special values treatment certificate to the
following address:

Kathryn Tronsberg Macciocca
Duff & Phelps, LLC
2000 Market Street, Ste 2700
Philadelphia, PA 19103

Duff & Phelps, LLC
2000 Market Street
Suite 2700
Philadelphia, PA 19103

T +1 215 430 6059
F +1 215 240-8334

kathryn.tronsberg@duffandphelps.com
www.duffandphelps.com

— Exhibit A —

Midwest Generation, LLC Application for Pollution Control Facility Certification
Illinois Environmental Protection Agency
July 30, 2020

If you have any questions regarding the Application or the information supplied within the Application, please contact me at (215) 430-6059 or by e-mail at kathryn.tronsberg@duffandphelps.com.

Very truly yours,

A handwritten signature in black ink that reads "Kathryn Tronsberg Macciocca". The signature is written in a cursive style with some loops and flourishes.

Kathryn Tronsberg Macciocca
Director
Property Tax

Enclosures

cc. Robb.Layman@Illinois.gov – Illinois Environmental Protection Agency



Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

Application for Certification (Property Tax Treatment) Pollution Control Facility

FOR AGENCY USE ONLY

File Number: _____	Date Rec'd: _____
Certification Number: _____	Date: _____

Facility Type (check one): Air Water

This form is to be used for any application for certification of property tax treatment for a pollution control facility for air or water from the Illinois EPA. Separate applications must be completed for each control facility claimed. Do not mix types (air and water). Where both air and water operations are related, file two applications.

If attachments are needed, record them consecutively on an index sheet.

You may complete this form online, save a copy locally, print, sign and submit it to:

Illinois EPA
Attention: Ray E. Pilapil, Permit Section
Division of Air Pollution Control
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

Illinois EPA
Attention: Al Keller, Permit Section
Division of Water Pollution Control
1021 North Grand Avenue East, P.O. Box 19276
Springfield, IL 62794-9276

I. Applicant Information:

Company Name: <u>Midwest Generation LLC</u>	Person to Contact for Additional Details: <u>Kathryn Tronsberg Macciocca c/o Duff and Phelps LLC</u>
Person Authorized to Receive Certification: <u>Kathryn Tronsberg Macciocca c/o Duff and Phelps LLC</u>	Street Address: <u>2000 Market Street, Suite 2700</u>
Street Address: <u>2000 Market Street, Suite 2700</u>	City: <u>Philadelphia</u> State: <u>PA</u>
City: <u>Philadelphia</u> State: <u>PA</u>	Zip: <u>19103</u> Phone: <u>(215) 430-6059</u>
Zip: <u>19103</u> Phone: <u>(215) 430-6059</u>	Email Address: <u>Kathryn.Tronsberg@duffandphelps.com</u>
Email Address: <u>Kathryn.Tronsberg@duffandphelps.com</u>	

II. Facility Information:

Facility Location: Quarter Section: 09 Township: 24N Range: 5W
Municipality: Cincinnati Township: 24

Note: A plat map location is requested for facilities located outside of municipal boundaries.

Address: 13082 E Manito Rd City: Pekin
State: IL Zip Code: 61554 County: Tazewell Book Number: N/A

Property Index Number: 10-10-09-100-004;10-10-08-200-003

Note: The Property Index Number is the numerical reference used to identify a parcel of real property for assessment and taxation purposes.

Manufacturing Operations Information:

Nature of Operations Conducted at the Above Location:

Powerton Generating Station utilizes Coal-Fired Power Units for the generation of electricity.

Permit Information:

WPC Construction Permit Number: <u>N/A</u>	Date Issued: <u>N/A</u>
NPDES Permit Number: <u>N/A</u>	Date Issued: <u>N/A</u> Exp. Date: <u>N/A</u>
APC Construction Permit Number: <u>Unit #5: 10120020 & Unit #8: 10120021</u>	Date Issued: <u>1/16/2016</u>
APC Operating Permit Number: <u>179801AAA</u>	Date Issued: <u>5/31/2017</u> Exp. Date: <u>10/15/2020</u>

Note: Submit copies of all relevant permits issued by local pollution control agencies. (e.g. MSD Construction Permit)

This Agency is authorized to request this information under 415 IL CS 5/4(b)(2012). Disclosure of this information is voluntary and no penalties will result from the failure to provide the information. However, the absence of the information could prevent your application from being processed or could result in denial of your application.

Manufacturing Process Information:

Please provide information on the manufacturing process and materials on which pollution control facility is used, including each major piece of equipment associated with the pollution control facility (or low sulfur dioxide emission coal fueled device).
Description of the Process:

Powerton Generating Station (the "Facility") is a 1,785 Mw power generation Facility consisting of four (4) coal-fired boilers, and two(2) steam turbine generator sets located in Tazewell County, Illinois. Unit #5, placed in-service in 1972, is a 892 Mw supercritical boiler unit. Unit #6, placed in-service in 1975, is a 892 Mw supercritical boiler unit. Units #5 & #6 were upgraded with Dry Sorbent Injection System ("DSI") System technology in 2016 for the control of SO2 emissions.

Materials Used in the Process:

The Facility burns low sulfur Power River Basin coal in the generation of electricity. Demineralized water is used in the production of high-pressure steam, which is passed through a steam turbine generator-set for the production of electricity. The electricity generated at the Facility is stepped up by Step Up Transformers to the appropriate kV voltage for transmission from the Facility across utility transmission wires. (Materials used in electrical generation at the Facility are typical of those described in public courses outlining electric power generation at coal-fired power generation facilities).

Pollution Control Facility Information:

Please provide a narrative description of the pollution control facility (or low sulfur dioxide emission coal fueled device), and an explanation of why its primary purpose is to eliminate, prevent or reduce pollution. State the type of control facility, as well as a narrative description and a process flow diagram describing the pollution control facility. Include an average analysis of the influent and effluent of the control facility stating the collection efficiency, if applicable.

Describe the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device):

The Facility has installed DSI Systems on Units #5 & #6 boilers. The DSI systems inject Trona (a mineral form of sodium carbonate and sodium bicarbonate) into the boiler gas paths through duct work at points prior to the units electrostatic precipitators ("ESPs") to control the sulfur dioxide (SO2) emissions of the boilers through an endothermic decomposition process (calcination) followed by an exothermic sulfation process. In addition, modifications to the Units #5 & #6's existing ESPs to accommodate the additional particulate matter ("PM") loading to the ESP from sorbent were made to improve the control efficiency of the ESPs, that control PM emissions from the Units #5 & #6 boilers.

DSI System Trona is delivered to the Facility via truck and off-loaded into storage silos. The sorbent unloading and handling system includes six (6) sorbent storage silos associated with Units #5 & #6. Each storage silo is equipped with a bin vane filter. From each storage silo, the sorbent is metered through a weigh hopper to a pneumatic conveying system, which blows sorbent (Trona) through a mill and then into the flue gas ductwork using injection lances. See Attachment A-1: Process Flow Diagram of DSI System Installations.

ESP System: Due to the increase in PM by the use of sorbent, alterations were made to the Units #5 & #6 ESPs. These alterations included: installation of high frequency TR sets; new collection plates; the addition of perforated plates; new discharge electrodes; and rappers, ductwork and structural changes. Also, included were the addition of hopper baffles and miscellaneous renovations to the ESP and balance of plant, as needed, covering extensive instrumentation & controls and electrical upgrades. See Attachment A-2: Process Flow Diagram for ESP System Upgrades.

Describe the Primary Purpose of the Pollution Control Facility (or Low Sulfur Dioxide Emission Coal Fueled Device):

The DSI System additions and required upgrades to Units #5 & #6 ESPs, were installed at the Facility as pollution control facility additions required for the purpose of eliminating and/or reducing SO2 and PM emissions from the Unit trains during coal-fired electric generating purposes. The Units #5 & #6 boilers are currently subject to the requirements of 35 IAC 214.141, which limits the emissions of SO2 from each boiler to 1.8 lb/MMBTU of actual heat input.

Identify the statute or regulation (federal or state), or local ordinance, if any, requiring the installation of the subject pollution control facility (or low sulfur dioxide emission coal fueled device).

The DSI System additions were installed to achieve compliance with the Combined Pollutant Standard (CPS). The CPS requires the Company's coal-fired units to reduce the fleet-wide average annual SO2 emissions to 0.44 lbs/mmBtu beginning in 2013, declining annually to 0.11 lbs/mmBtu in 2018. The CPS mandates that the Powerton units retrofit FGD technology by December 31, 2018 or permanently shut down. Further, the Illinois Pollution Control Board granted a variance to the SO2 limits contained in the CPS for 2015 and 2016. The 2015 annual fleet-wide SO2 emission limit of 0.28 lbs/mmBtu was changed to 0.38 lbs/mmBtu. The annual fleet-wide SO2 emission limit for 2016 of 0.165 lbs/mmBtu was changed to 0.38 lbs/mmBtu. An annual SO2 emissions tonnage cap was set at 57,000 tons SO2 for 2013, 54,000 tons SO2 for 2014, 39,000 tons SO2 for 2015 and 37,000 tons SO2 for 2016. Finally, in addition to mandates set forth in CPS, the Facility must also meet the requirements for NOx and SO2 as outlined in 35 IAC Part 225 Subpart B. The purpose of 35 IAC Part 225 Subpart B is to limit the emissions of mercury, nitrogen oxides and sulfur dioxide from coal-fired electric generating units operating in Illinois. These requirements for SO2 emission reductions as outlined in the CPS and 35 IAC Part 225 Subpart B detailing the particulate emission requirements as set forth in the USEPA Boiler MACTS (Mercury Air Toxics Standards) mandated the addition of SO2 and particulate control technologies on Units #5 & #6.

Nature of Contaminants or Pollutants:

List air contaminants or water pollution substances released as effluents to the manufacturing processes. Also list the final disposal of any contaminants removed from the manufacturing processes.

Contaminant or Pollutant	Material Retained, Captured or Recovered *	
	Description	Disposal or Use
PM, PM10, PM2.5 Emissions (Unit 5)	PM Entrained in Flue Gas	PM disposed of in a landfill
SO2 Emissions (Unit 5)	SO2 Entrained in Flue Gas	SO2 entrained as Fly Ash disposed of in landfill
PM, PM10, PM2.5 Emissions (Unit 6)	PM Entrained in Flue Gas	PM disposed of in a landfill
SO2 Emissions (Unit 6)	SO2 Entrained in Flue Gas	SO2 entrained as Fly Ash disposed of in landfill

Note: Contaminant or pollutant means that which is removed from the process by the pollution control facility.

*See Attachment B-2 & B-3. Permit No. 179801AAA, for PM & SO2 emissions, Dated May 31, 2017.

Point(s) of Waste Water Discharge:

Identify the location of the discharge to the receiving stream. This will typically refer to a source of water pollution but can include water-carried wastes from air pollution control facilities.

Plans and Specifications Attached Yes No See Above

Submit Drawings, which clearly show:

- (a) Point(s) of discharge to receiving stream; and
- (b) Sewers and process piping to and from the control facility.

Are contaminants (or residues) collected by the control facility? Yes No

Note: If the collected contaminants are disposed of other than as wastes, state the disposition of the materials, and the value dollars reclaimed by the sale or reuse of the collected substances. State the cost of reclamation and related expense.

Project Status:

Date Installation Completed: In-Service - 2016

Provide the date the pollution control facility was first placed into service and operated. If not, explain.

Units #5 & #6 DSI System additions and associated ESP modifications complete and placed in service in 2016.

Status of installation on date of application:

Units #5 & #6 DSI System additions and associated ESP modifications complete and placed in service in 2016.

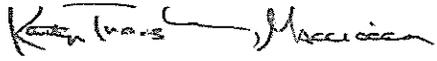
III. Verification and Signature:

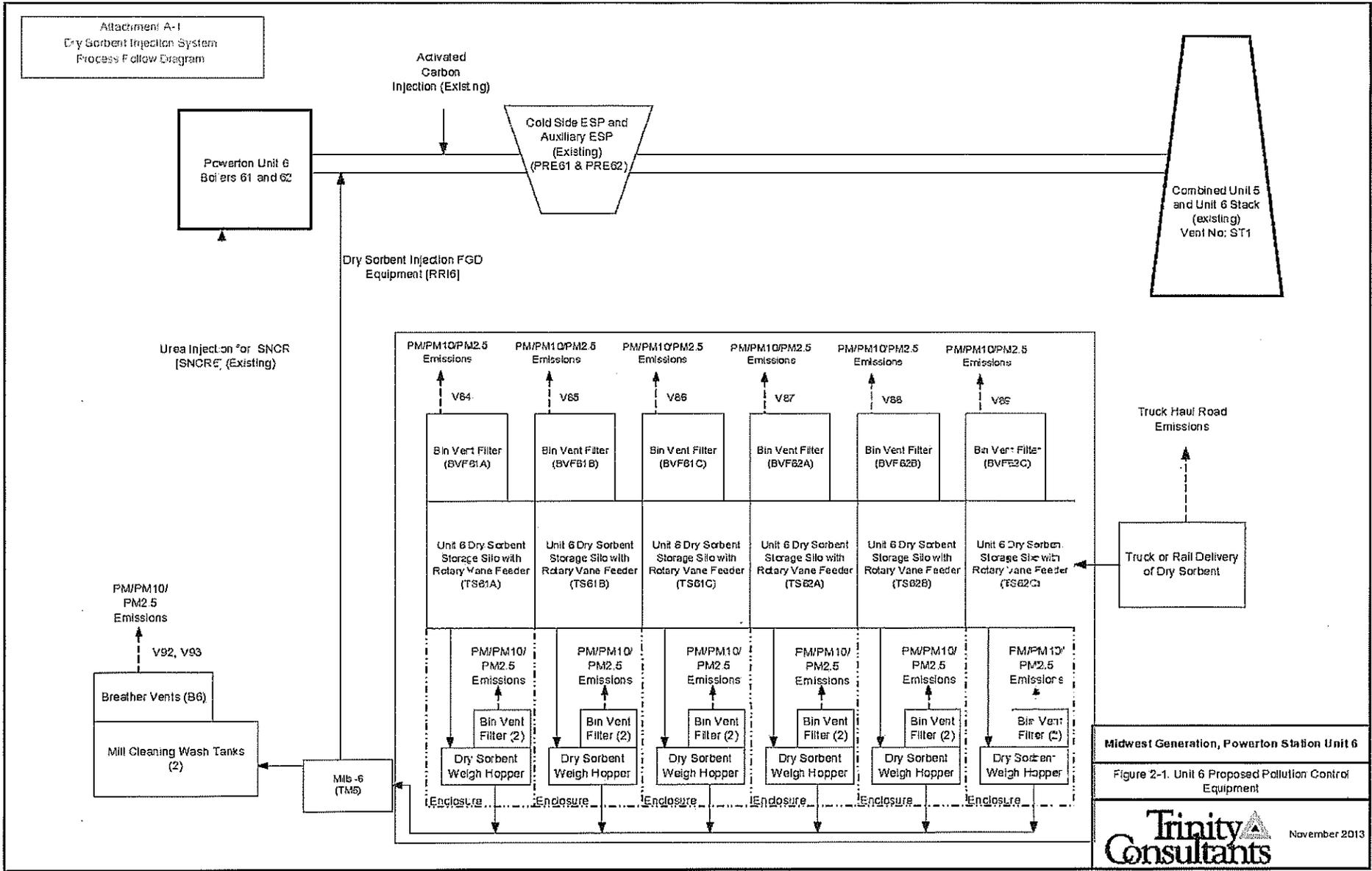
The following information is submitted in accordance with the Illinois Property Tax Code, as amended, and to the best of my knowledge is true and correct.

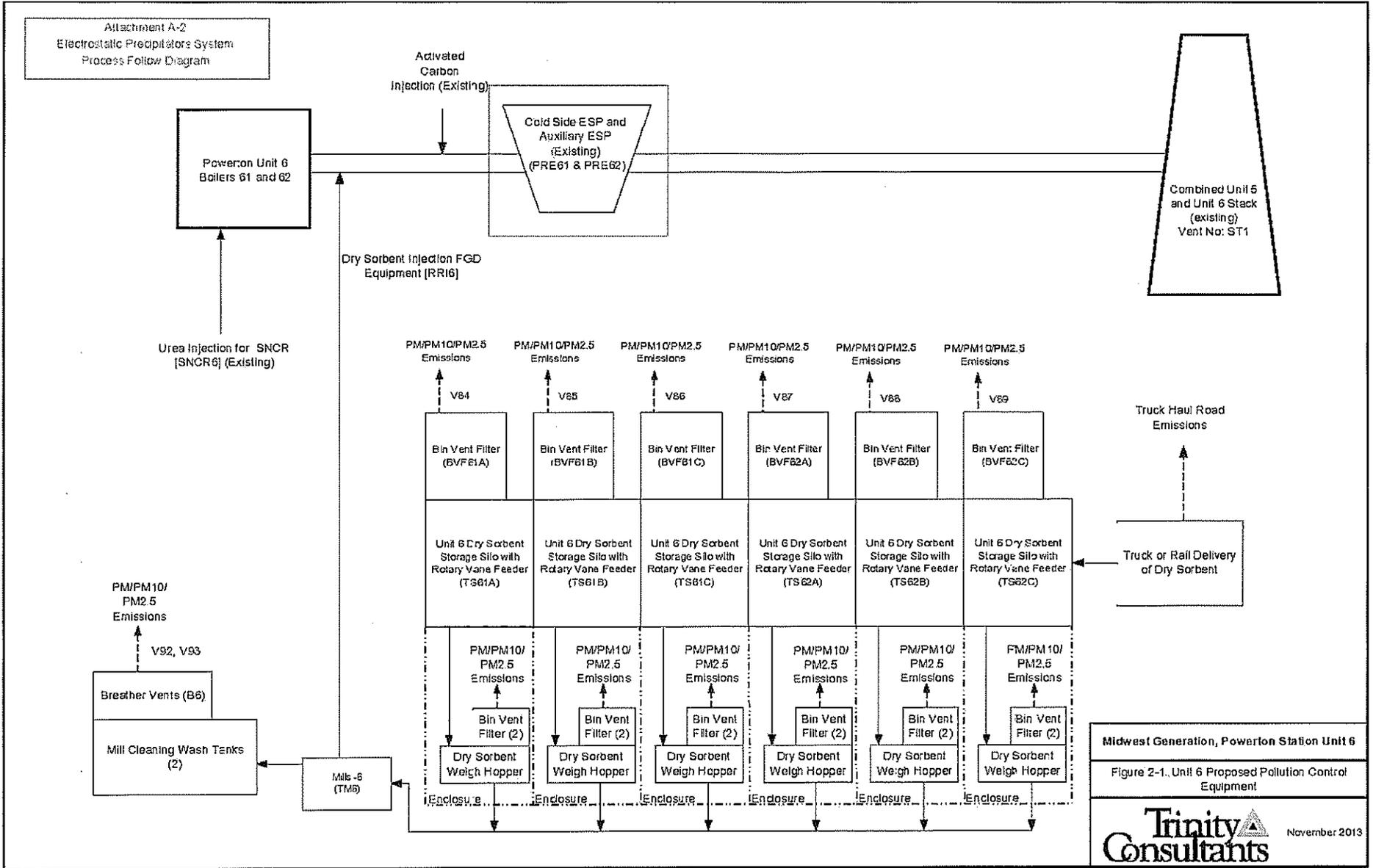
Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

<u>Kathryn Tronsberg Macciocca</u>	<u>Director - Property Tax</u>
Printed Name:	Title:

For incorporated entities, signature should be from an authorized corporate representative.

	<u>July 30, 2020</u>
Signature:	Date:





Attachment B-1 (Cont)
Construction Permit #10120020

MIDWEST
GENERATION EME, LLC

500 MADISON AVENUE, SUITE 1100, SPRINGFIELD, IL 62702

Maria L. Race
Director
Environmental Services

January 16, 2014

Mr. Ray Pilapil
Acting Manager, Permit Section
Division of Air Pollution Control
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62702

Subject: Powerton Unit 5 Flue Gas Desulfurization Equipment
Construction Permit Revision Application
Midwest Generation, LLC – Powerton Generating Station
I.D. No.: 179801AAA
County: Tazewell

Dear Mr. Pilapil:

Midwest Generation (MWGen) hereby submits a construction permit revision application for the installation of dry sorbent injection flue gas desulfurization (FGD) equipment at Powerton Unit 5 in order to achieve compliance with the Illinois Combined Pollutant Standard (CPS) as adopted in 2007 and subject to a variance granted by the Illinois Pollution Control Board (IPCB) on April 4, 2013.

- The existing construction permit for this project (application number 10120020) was most recently issued on February 6, 2012, per the application originally submitted in January 2011 and the request to extend the start of construction submitted in January 2012.
- In November 2012, MWGen submitted an application to revise the design of the permitted Powerton Unit 5 dry sorbent injection FGD; that application is currently pending with the Illinois Environmental Protection Agency (IEPA) and a revised permit has not yet been issued.
- To incorporate additional design changes, MWGen is submitting this construction permit application to replace the November 2012 application on file with IEPA in its entirety. These changes are based on design improvements the contractor for this project has made as a result of construction experience after the November 2012 application was submitted.
- Note that a construction permit extension request has recently been submitted to extend the effective date of the current permit No. 10120020, while IEPA reviews this application update.

The overall PM/PM₁₀/PM_{2.5} emissions potentially caused by the project will not change from the November 2012 application as a result of the changes detailed in this application and continue to be less than the currently permitted project emissions. Sulfur dioxide emission reductions resulting from this project remain as described in the existing permit and are compliant with the CPS.

The updates in this application include a revision to the air flow through the dry sorbent storage silos and addition of interim emission points at the weigh hopper associated with each silo. In addition, Midwest Generation is requesting that Illinois EPA revise Condition 1.12 of the permit to reflect Midwest Generation's latest anticipated start date of June 30, 2016, which is designed with the express purpose of complying with the CPS, subject to the April 4, 2013, variance and is reflected in a construction schedule requested by and submitted to the IPCB and referenced in the variance order.

235 Rectangular Blvd.
Suite A
Bolingbrook, IL 60440
Tel: 630 771 7862
Fax: 630 733 5536
emc@mwgen.com

Attachment B-2
 Operating Permit No. 179801AAA
 PM Emissions Limits

mill, when the mill is vented to the atmosphere through the cleaning water tank.

Facility	Limits (lbs/hour)		
	PM	PM ₁₀	PM _{2.5}
Unit 5	0.53	0.53	0.53
Unit 6	0.53	0.53	0.53

- iii. Annual emissions of PM, PM₁₀ and PM_{2.5} from each sorbent handling facility shall each not exceed the following limits:

Facility	Limits (tons/year)		
	PM	PM ₁₀	PM _{2.5}
Unit 5	2.6	2.6	2.6
Unit 6	2.6	2.6	2.6

- iv. Compliance with the annual limits in Conditions 7.7.6(b)(i) and (iii) shall be determined from the sum of the data for the current month plus the preceding 11 months (running 12 months total).
- v. There shall be no visible emissions of fugitive particulate matter from the sorbent handling facilities.
- vi. Maintenance and repair of filters and the control measure shall be performed to assure that such controls function properly when material is being handled.

7.7.7 Opacity Observation Requirements

- a. Pursuant to 40 CFR 60.675(c)(1), in determining compliance with the opacity standard in Condition 7.7.4(a), the Permittee shall use Reference Method 9 and the procedures in 40 CFR 60.11 with the following additions:
 - i. The minimum distance between the observer and emission source shall be 15 feet.
 - ii. The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust).
 - iii. The observer position relative to the sun required by Reference Method 9 must be followed.
- b. Pursuant to 40 CFR 60.675(c)(2), in determining compliance with opacity standards in Condition 7.7.4(a) for the affected rail and truck unloading

Attachment B-3 (Cont)
 Operating Permit No. 179801AAA
 SO2 Emissions

10.5 Attachment 5 - Acid Rain Program Permit

217-785-1705

ACID RAIN PROGRAM PERMIT

Midwest Generation, LLC

Attn: Dale Green

13082 East Manito Road

Pekin, Illinois 61554-8587

Designated Representative: Dale Green/Station Director

Alternate Designated Representative: Frank Amco/Senior General Manager

Oris No.: 879

IEPA I.D. No.: 179801AAA

Source/Unit: Powerton Station/Units 51, 52, 51 and 52

Date Received: November 7, 2014

Date Issued: August 8, 2017

Effective Date: January 1, 2015

Expiration Date: October 15, 2020

STATEMENT OF BASIS:

In accordance with Section 39.5(17) of the Illinois Environmental Protection Act and Titles IV and V of the Clean Air Act, the Illinois Environmental Protection Agency is issuing this Acid Rain Program permit, including requested revisions, to Midwest Generation, LLC for its Powerton Generating Station.

SULFUR DIOXIDE (SO₂) ALLOCATIONS AND NITROGEN OXIDES (NO_x) LIMITS FOR EACH AFFECTED UNIT:

UNIT 51	SO ₂ Allowances, under Tables 2, 3, or 4 of 40 CFR Part 73	Years 2016 and Beyond <div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto;"></div>
	SO ₂ Limit	0.96 lb/mmBtu (Standard Limit for Cyclone Fired Boilers)
UNIT 52	SO ₂ Allowances, under Tables 2, 3, or 4 of 40 CFR Part 73	Years 2016 and Beyond 8,341
	SO ₂ Limit	0.96 lb/mmBtu (Standard Limit for Cyclone Fired Boilers)
UNIT 51	SO ₂ Allowances, under Tables 2, 3, or 4 of 40 CFR Part 73	Years 2016 and Beyond 8,580
	SO ₂ Limit	0.96 lb/mmBtu (Standard Limit for Cyclone Fired Boilers)

Attachment B-3 (Cont)
 Operating Permit No. 179801AAA
 SO2 Emissions

UNIT 62	SO ₂ Allowances, under Tables 1, 2, or 4 of 40 CFR Part 73	Years 2016 and Beyond 8,007
	SO ₂ Limit	0.86 lb/mmBtu (Standard Limit for Cyclone Fired Boilers)



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

Memorandum

Technical Recommendation for Tax Certification Approval

Date: August 18, 2020

To: Robb Layman, Assistant Counsel

From: Bob Bernoteit, Unit Manager, Permits Section ^{RUB}

Subject: Midwest Generation, LLC
Powerton Generating Station, Tazewell County

The Illinois EPA received a request on August 5, 2020, from Midwest Generation, LLC, for an Illinois EPA recommendation regarding tax certification of air pollution control facilities pursuant to 35 Ill. Adm. Code 125.204. In consultation with my staff, I approve the following recommendation:

The air pollution control facilities in this request include the following:

Dry Sorbent Injection System project, which was implemented in 2016 and consisted of modifications to the Unit Nos. 5 and 6 Electrostatic Precipitators to add dry sorbent injection to allow for further control of sulfur dioxide (SO₂) from the flue gases of the coal-fired boilers. Because the primary purpose of the project is to reduce or prevent air pollution and will enable the source to assure compliance with 35 Ill. Adm. Code 214.141 of the Pollution Control Board's environmental regulations, it can be certified as a pollution control facility.

This facility is located at 13082 East Manito Road, Pekin.

The property identification numbers are 10-10-09-100-004 and 10-10-08-200-003.

Based on the information included in this submittal, it is the Division of Air Pollution Control's engineering judgment that the proposed facility may be considered "Pollution Control Facilities" under 35 IAC 125.200(a), with the primary purpose of preventing or reducing air pollution, or as otherwise provided in this section, and is therefore eligible for tax certification from the Illinois Pollution Control Board. Therefore, it is the Illinois EPA's recommendation that the Board issue the requested tax certification for this facility.

— Exhibit B