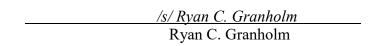
### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	
	)	
STANDARDS FOR THE DISPOSAL OF	)	R20-19
COAL COMBUSTION RESIDUALS	)	(Rulemaking – Land)
IN SURFACE IMPOUNDMENTS:	)	- ·
PROPOSED NEW 35 ILL. ADM. CODE 845	)	

#### **NOTICE OF FILING**

To: ALL PARTIES ON THE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **Motion to Correct Transcripts**, copies of which are herewith served upon you.



Dated: September 8, 2020

SCHIFF HARDIN LLP Joshua R. More Stephen J. Bonebrake Ryan C. Granholm 233 South Wacker Drive, Suite 7100 Chicago, Illinois 60606 (312) 258-5500

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## BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
STANDARDS FOR THE DISPOSAL OF	)	R20-19
COAL COMBUSTION RESIDUALS	)	(Rulemaking – Land)
IN SURFACE IMPOUNDMENTS: PROPOSED NEW 35 ILL. ADM. CODE 845	)	

### **Motion to Correct Transcripts**

NOW COME Dynegy Midwest Generation, LLC, Electric Energy, Inc., Illinois Power Generating Company, Illinois Power Resources Generating, LLC, and Kincaid Generation, LLC, (collectively, "Dynegy"), by their attorneys, Schiff Hardin LLP, pursuant to 35 Ill. Admin. Code § 101.604, and request that the Hearing Officer order correction of the transcripts for hearings held in this matter on August 11 and 12, 2020, in accordance with the below charts.

## **August 11 Transcript:**

Page	Line	Now Reads:	Requested Correction:
28	1	" ponds that plan no	" ponds at plants no longer"
		longer "	
28	14-	" ponds that plan no	" ponds at plants no longer"
	15	longer "	
39	16-	" questions about 845.100 I	" questions about 845.100 <b>if</b> I also"
	17	also "	
44	7-8	" any CCR surface	" any CCR surface impoundment
		impoundment created after"	created <b>before</b> "
44	8	" the executive date"	" the <b>effective</b> date"
44	15	" the executive date"	" the <b>effective</b> date"
83	15	" under Section 3.13"	" under Section <b>3.143</b> "
84	13	"eight—eight	"Agency—Agency
		determinations,"	determinations,"
86	17	" data of Part 257."	" date of Part 257."
96	13	" Jeremy Lecrone."	" Darin LeCrone."
96	18-	" Jeremy Lecrone."	"Darin LeCrone."
	19		
98	3-4	" Jeremy Lecrone."	"Darin LeCrone."

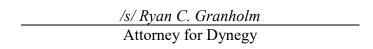
110	24	" groundwater protection	" groundwater protection standards
		standards defers"	differs"
111	15	" definition of the lease,"	" definition of release,"
125	24	"845.173 shows"	" <b>845.170(a)(3)</b> shows"
146	9	"damn safety"	" dam safety"
153	15	"MR. LECRONE:"	"MR. HAMMONS:"
154	20	"Jeff More"	" <b>Josh</b> More"
158	16	" sleuthed wet to the	" <b>sluiced</b> wet to the impoundment"
		impoundment"	
158	23	"So they aught to be able"	"So they <b>ought</b> to be able"
159	2	" to sleuth that."	" to sluice that."
159	4	" those sleuth waters."	" those <b>sluice</b> waters."
159	7	" to sleuth that material"	" to sluice that material"
160	18	" to 845.22(f),"	" to <b>845.220(f)</b> ,"
162	10	"Item 7 will not have an	"Item 7. CCR permits issued by EPA
		expiration date."	will not have an expiration date."
164	16	" the eight proposed	" the <b>Agency</b> proposed timeframes"
		timeframes"	
176	1	" possibly the federal"	" possible the federal"
192	4	"damn safety"	"dam safety"
193	11	" are required on"	" are required in"
195	2	" existing damn safety"	" existing dam safety"

# **August 12 Transcript:**

Page	Line	Now Reads:	Requested Correction:
16	21	" meaning."	" meeting."
29	8-9	" 845.240. A summary of the	" 845.240, <b>a</b> summary of the issues"
		issues"	
29	11	" attendance would like"	" attendance <b>who</b> would like"
44	15-	" look at community list	" look at community <b>concerns</b> that
	16	serves that are"	are"
72	12	" in relation to Part B of	" in relation to Part C of that"
		that"	
94	17	" definition of CCR under	" definition of CCR under <b>845.120</b> ."
		845.110(d)."	
96	20-	" the positions taken in by	" the positions taken by litigants in
	21	litigants in those matters"	those matters"
99	13-	"We admitted a public	"We <b>submitted</b> a public comment"
	14	comment"	
114	16-	" applied to the staff-wide	" applied to the <b>site in the</b> order"
	17	order"	
114	18-	" requirements of 623.10	" requirements of <b>620</b> would have to be
	19	would have to be met."	met."

131	18	" impoundments called a	" impoundments <b>or</b> a retrofit"
		retrofit"	-
131	20-	" non-hazardous space	" non-hazardous <b>waste</b> landfills"
	21	landfills"	
148	22	" 4.3 feet of head."	" 4.3 pounds per square inch of
			force."
150	1	" system and a solid	" system <b>in</b> a solid waste"
		waste"	
150	4	" system and a solid	" system in a solid waste"
		waste"	
168	22-	"The Agency said that "Would	"The Agency said that "Woody
	23	vegetation"	vegetation"
177	24	" rule in that?"	" role in that?"
189	24	"This is Darryl"	"This is <b>Darin</b> "

Respectfully submitted,



Dated: September 8, 2020

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#### **CERTIFICATE OF SERVICE**

I, the undersigned, certify that on this 8th day of September, 2020, I have electronically served the attached **Motion to Correct Transcripts**, upon all parties on the attached service list. I further certify that my email address is rgranholm@schiffhardin.com; the number of pages in the email transmission is 8; and the email transmission took place today before 5:00 p.m.



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