

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.

/s/ Ryan C. Granholm

Ryan C. Granholm

Dated: September 11, 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

Michael L. Raiff
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, TX 75201-6912
(214) 698-3350
mraiff@gibsondunn.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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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 transcript for the hearing held in this matter on August 13, 2020, in accordance with the below chart.

August 13 Transcript:

Page	Line	Now Reads:	Requested Correction:
25	23	“ . . . detection that assessment monitoring . . . ”	“ . . . detection then assessment monitoring . . . ”
31	3-4	“ . . . between a graph, a presubmitted draft . . . ”	“ . . . between a draft , a presubmitted draft . . . ”
31	6-7	“ . . . more stringent of 620 and – or 840 was applicable.”	“ . . . more stringent of 620 and – or 845 was applicable.”
35	3-4	“ . . . it says 658 specifies . . . ”	“ . . . it says 650(a) specifies . . . ”
39	4	“ . . . any rest for calcium . . . ”	“ . . . any reason to test for calcium . . . ”
40	9-10	“ . . . standard under Part 845 in calcium, . . . ”	“ . . . standard under Part 845 and calcium, . . . ”
42	22	“ . . . question about 610(c).”	“ . . . question about 610(d).”
42	23	“Proposed Section 610(c) relates . . . ”	“Proposed Section 610(d) relates . . . ”
43	18-19	“ . . . standards as mentioned at a CCR surface impoundments point of compliance.”	“ . . . standards as measured at a CCR surface impoundment’s points of compliance.”
44	7-8	“ . . . surface impoundments point of compliance . . . ”	“ . . . surface impoundment’s points of compliance . . . ”
45	20	“ . . . pursuant to 610(b), . . . ”	“ . . . pursuant to 610(d), . . . ”

Page	Line	Now Reads:	Requested Correction:
48	7	“... remainder of Subpart S.”	“... remainder of Subpart F .”
48	9	“... it says independent release ...”	“... it says in the event of a release ...”
51	20-21	“... in order to comply with Section 845.610(b)?”	“... in order to comply with Section 845.610(d)?”
52	2	“... the entirety of 610(b) including ...”	“... the entirety of 610(d) including ...”
55	21	“... releases of CCR to land surface waters ...”	“... releases of CCR to land or to surface waters ...”
55	22	“... more came to the second ...”	“... more akin to the second ...”
56	1	“... 49(c)?”	“... 49(b)?”
61	17	“... Part 85 requires ...”	“... Part 845 requires ...”
64	17	“... at that Dan River, ...”	“... at the Dan River, ...”
67	8	“... dissolved phased constituent release ...”	“... dissolved phase constituent release ...”
67	13	“... there is two triggers ...”	“... there are two triggers ...”
67	22	“... duplicatus requirement ...”	“... duplicative requirement ...”
68	5	“... dissolved phased requirement ...”	“... dissolved phased constituent ...”
68	9	“... corresponding provision Exhibit 10 ...”	“... corresponding provision to Exhibit 10 ...”
93	2-3	“... 22(b) wherein response—I’m sorry—in Exhibit 2 wherein response to a question ...”	“... 22(b) where, in response—I’m sorry—in Exhibit 2 where, in response to a question ...”
93	14	“... such a gradient well ...”	“... such upgradient wells ...”
98	2-3	“... wells lined between ...”	“... wells located in between ...”
99	13	“... value in the 600’s.”	“... value in Section 845.600. ”
119	14	“... statistics held to account ...”	“... statistics help to account ...”
119	22	“... occurred under Part 45, ...”	“... occurred under Part 845, ...”
134	16	“... whether do concur or do not concur ...”	“... whether to concur or to not concur ...”
149	3-4	“... the exceedance now resolved to the operation ...”	“... the exceedance is not the result of the operation ...”
150	16	“... will the appeal or un-appeal stay the requirement ...”	“... will the appeal or an appeal stay the requirement ...”
158	24	“... wouldn’t quarterly groundwater mentoring be ...”	“... wouldn’t quarterly groundwater monitoring be ...”
164	23-24	“... ELPC Question’s 32 and 33 to Page 41 of Exhibit 2.”	“... ELPC Questions 32 and 33 on Page 41 of Exhibit 2.”

Page	Line	Now Reads:	Requested Correction:
165	17	"... any activity required by Part 245."	"... any activity required by Part 845 ."
168	24	"... what information is, ..."	"... what the information is, ..."
169	3	"... where is the permit at its process ..."	"... where is the permit at in its process ..."
177	9	"MS. CASSEL: ..."	"MS. ZEIVEL : ..."
177	13	"... overtop an impoundments berms ..."	"... overtop an impoundment's berms ..."
184	21	"... what environmental justice ..."	"... what an environmental justice ..."
198	4-5	"... notified by their status designate by putting it ..."	"... notified of their status designation by putting it ..."
205	12	"... the closure message ..."	"... the closure method ..."
208	14-15	"... after infiltration is left ..."	"... after infiltration has stopped , ..."
213	7-8	"...—water table fluctuates ..."	"...— a water table fluctuates ..."
213	16	"... CCR impoundment where ..."	"... CCR impoundments where ..."
216	16-17	"... we have—I expect in somewhere ..."	"... we have—I expect at some where"
220	1	"... transport of contaminates ..."	"... transport of contaminants ..."
221	22-23	"It is not explicitly required implicitly and by that language, and as agency practice, ..."	"It is not explicitly required, but implicitly and by that language, and as agency practice, ..."
222	16-17	"Instead of implicit concerns about rivers ..."	"Instead of stating that concerns about rivers ..."
223	4-5	"What was the first instance, the name of the site?"	"What was the first sentence , the name of the site?"
226	12-13	"... surface impoundments, solids ..."	"... surface impoundment solids ..."
228	5-6	"... thoroughly referring it ..."	"... thoroughly reviewing it ..."
231	6-7	"... electric salts ..."	"... electric trucks ..."

Dated: September 11, 2020

Respectfully submitted,

/s/ Ryan C. Granholm

 Attorney for Dynegy

SCHIFF HARDIN LLP

Joshua R. More

Stephen J. Bonebrake

Ryan C. Granholm

233 South Wacker Drive, Suite 7100

Chicago, Illinois 60606

(312) 258-5500

Michael L. Raiff

GIBSON, DUNN & CRUTCHER LLP

2001 Ross Avenue, Suite 2100

Dallas, TX 75201-6912

(214) 698-3350

mraiff@gibsondunn.com

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 11th 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 9; and the email transmission took place today before 5:00 p.m.

/s/ Ryan Granholm

Ryan Granholm

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

Michael L. Raiff
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, TX 75201-6912
(214) 698-3350
mraiff@gibsondunn.com

Attorneys for Dynegy

<u>SERVICE LIST</u>	
<p>Vanessa Horton, Hearing Officer Vanessa.Horton@illinois.gov Don Brown, Clerk of the Board Don.brown@illinois.gov Illinois Pollution Control Board James R. Thompson Center Suite 11-500 100 West Randolph Chicago, Illinois 60601</p>	<p>Stephanie N. Diers Stefanie.Diers@illinois.gov Christine M. Zeivel Christine.Zeivel@illinois.gov Illinois Environmental Protection Agency 1021 N. Grand Ave., East, P.O. Box 19276 Springfield, Illinois 62794-9276</p>
<p>Virginia I. Yang - Deputy Counsel virginia.yang@illinois.gov Nick San Diego - Staff Attorney nick.sandiego@illinois.gov Robert G. Mool bob.mool@illinois.gov Paul Mauer - Senior Dam Safety Eng. Paul.Mauer@illinois.gov Renee Snow - General Counsel renee.snow@illinois.gov Illinois Department of Natural Resources One Natural Resources Way Springfield, IL 62702-1271</p>	<p>Matthew J. Dunn mdunn@atg.state.il.us Stephen Sylvester ssylvester@atg.state.il.us Andrew Armstrong aarmstrong@atg.state.il.us Kathryn A. Pamerter KPamerter@atg.state.il.us 69 West Washington Street, Suite 1800 Chicago, IL 60602</p>
<p>Deborah Williams Deborah.Williams@cwlp.com City of Springfield Office of Utilities 800 E. Monroe, 4th Floor Municipal Building East Springfield, IL 62757-0001</p>	<p>Kim Knowles Kknowles@prairierivers.org Andrew Rehn Arehn@prairierivers.org 1902 Fox Dr., Ste. 6 Champaign, IL 61820</p>
<p>Jennifer Cassel jcassel@earthjustice.org Thomas Cmar tcmar@earthjustice.org Mychal Ozaeta mozaeta@earthjustice.org Melissa Legge mlegge@earthjustice.org Earthjustice 311 South Wacker Drive, Suite 1400 Chicago, IL 60606</p>	<p>Jeffrey Hammons JHammons@elpc.org Kiana Courtney KCourtney@elpc.org Environmental Law & Policy Center 35 E. Wacker Dr., Suite 1600 Chicago, Illinois 60601</p>

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<p>Faith Bugel fbugel@gmail.com 1004 Mohawk Wilmette, IL 60091</p>	<p>Michael Smallwood Msmallwood@ameren.com Ameren 1901 Choteau Ave. St. Louis, MO 63103</p>
<p>Mark A. Bilut Mbilut@mwe.com McDermott, Will & Emery 227 W. Monroe Street Chicago, IL 60606-5096</p>	<p>Abel Russ aruss@environmentalintegrity.org Environmental Integrity Project 1000 Vermont, Ave NW, Ste. 1100 Washington, DC 20005</p>
<p>Susan M. Franzetti Sf@nijmanfranzetti.com Kristen Laughridge Gale kg@nijmanfranzetti.com Vincent R. Angermeier va@nijmanfranzetti.com Nijman Franzetti LLP 10 S. Lasalle St., Ste. 3600 Chicago, IL 60603</p>	<p>Alec M Davis adavis@ierg.org Kelly Thompson kthompson@ierg.org Illinois Environmental Regulatory Group 215 E. Adams St. Springfield, IL 62701</p>
<p>Jennifer M. Martin Jennifer.martin@heplerbroom.com Melissa Brown Melissa.brown@heplerbroom.com Heplerbroom, LLC 4340 Acer Grove Drive Springfield, Illinois 62711</p>	<p>Cynthia Skrukrud Cynthia.Skrukrud@sierraclub.org Jack Darin Jack.Darin@sierraclub.org Christine Nannicelli christine.nannicelli@sierraclub.org Sierra Club 70 E. Lake Street, Ste. 1500 Chicago, IL 60601-7447</p>
<p>Alisha Anker aanker@ppi.coop Prairie Power Inc. 3130 Pleasant Runn Springfield, IL 62711</p>	<p>Walter Stone Water.stone@nrgenergy.com NRG Energy, Inc. 8301 Professional Place, Suite 230 Landover, MD 20785</p>
<p>Keith Harley kharley@kentlaw.iit.edu Daryl Grable dgrable@clclaw.org Chicago Legal Clinic, Inc. 211 W. Wacker Dr. Ste. 750 Chicago, IL 60606</p>	<p>Chris Newman newman.christopherm@epa.gov Jessica Schumacher Schumacher.Jessica@epa.gov U.S. EPA, Region 5 77 West Jackson Blvd. Chicago, IL 60604-3590</p>

<p>Claire Manning cmanning@bhslaw.com Anthony Shuering aschuering@bhslaw.com Brown, Hay & Stephens, LLP 205 S. Fifth Street, Suite 1000 P.O. Box 2459 Springfield, IL 62705-2459</p>	
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