

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PETITION OF MIDWEST) AS 2021-002
GENERATION, LLC FOR AN)
ADJUSTED STANDARD FROM 35 ILL.)
ADM. CODE PARTS 811 AND 814)

NOTICE OF FILING

To: See attached service list.

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board Petitioner, Midwest Generation, LLC's Certificate of Publication, a copy of which is herewith served upon you.

Dated: May 19, 2021

MIDWEST GENERATION, LLC

By: /s/ Kristen L. Gale

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PROOF OF PETITION NOTICE

Midwest Generation, LLC, through its undersigned attorney, hereby files its proof of petition notice pursuant to 35 Ill. Adm. Code 104.410. Midwest Generation, LLC filed its petition in this matter on May 11, 2021, and caused publication of notice of the filing of that petition pursuant to 35 Ill. Adm. Code 104.408 in the Pekin Daily Times on May 15, 2021. The Certificate of Publication is attached.

Respectfully submitted,
MIDWEST GENERATION, LLC

By: /s/ Kristen L. Gale
Kristen L. Gale

Date: May 19, 2021

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Official Certificate of Publication as Required by State Law and IPA By-Laws

Certificate of the Publisher

Gannett certifies that it is the publisher of the Pekin Daily Times. Pekin Daily Times, a secular newspaper, has been continuously published daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City Pekin, County of Tazewell, Township of Pekin, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 time in Pekin Daily Times. The publication of the notice was made in the newspaper, dated and published on May 15th, 2021. The notice was also placed on a statewide public notice website as required by 715 ILCS 5/2.1.

In witness, the Pekin Daily Times has signed this certificate by Gannett, its publisher, at Pekin, Illinois, on May 17th, 2021.

NIJMAN FRANZETTI LLP

Ad # 4723544

By:

Ashley Dillon
Legal Notice Representative
Gannett
Publisher

(Note: Unless otherwise ordered, notarization of this document is **not** required.)

Legal Notice Legal Notice Legal Notice

**NOTICE OF PETITION BY MIDWEST GENERATION, LLC
FOR AN ADJUSTED STANDARD BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

Midwest Generation, LLC ("MWG") filed a petition for an adjusted standard from 35 Ill. Adm. Code 845.740(a) and Finding of Inapplicability of the Illinois Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments at 35 Ill. Adm. Code 845 with the Illinois Pollution Control Board on May 11, 2021 pursuant to 35 Ill. Adm. Code 101.400 for its Powerton Station located at 13082 East Manito Road, Pekin, Tazewell County, IL 61554, Illinois. The Powerton Station is a power-generating station. The petition for an adjusted standard, which has been assigned docket #2021-002, requests regulatory relief for four basins at the Station. MWG is requesting an adjusted standard for the Ash Surge Basin, Bypass Basin, and Metal Cleaning Basin to allow the decontamination and retention of the existing liners in each of the basins rather than the liners' removal as provided in 35 Ill. Adm. Code 845.740(a). MWG proposed the following adjusted standard language: "MWG may close the Ash Surge Basin, Bypass Basin, and the Metal Cleaning Basin at the Powerton Station by removing and decontaminating all areas affected by releases from the three units. CCR removal and decontamination of the Ash Surge Basin, Bypass Basin, and the Metal Cleaning Basin is complete when the CCR in the Ash Surge Basin, Bypass Basin and the Metal Cleaning Basin and any areas affected by releases from the CCR surface impoundment have been removed. MWG must conduct visual inspection and analytical testing to demonstrate that the geomembrane liner in the Ash Surge Basin, Bypass Basin, and Metal Cleaning Basin is not contaminated with CCR constituents. MWG must submit the results to Illinois EPA." MWG is also requesting that the Board find 35 Ill. Adm. Code Part 845 is inapplicable to the Service Water Basin because it does not accumulate CCR. MWG proposed the following adjusted standard language: "Part 845 of the Illinois Pollution Control Board Regulations does not apply to the Service Water Basin, located at the MWG Powerton Generating Station, 13082 East Manito Road, Pekin, Tazewell County, IL 61554." Any person may cause a public hearing to be held in the above-described adjusted standard proceeding by filing a hearing request with the Illinois Pollution Control Board within 21 days after the date of the publication of this notice. The hearing request should indicate the docket number for the adjusted standard proceeding, as found in this notice. The hearing request must be mailed to the Clerk, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601, or filed electronically through COOL, located on the Board's website (www.ipcb.state.il.us).