

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

Midwest Generation, LLC	)	
(Will County Station)	)	PCB 2021-108
	)	
v.	)	
	)	
Illinois Environmental Protection Agency	)	

To: See attached service list.

**NOTICE OF ELECTRONIC FILING**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board a Motion for Extension of Time on behalf of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Respectfully submitted,

Dated: June 24, 2021

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Christine Zeivel, #6298033  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
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(217) 782-5544  
Christine.Zeivel@Illinois.Gov

Respondent,

BY: /s/Christine Zeivel  
Christine Zeivel

**THIS FILING IS SUBMITTED ELECTRONICALLY**

**SERVICE LIST**

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ILLINOIS POLLUTION CONTROL BOARD

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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

Midwest Generation, LLC )  
(Will County Station) ) PCB 2021-108  
 )  
v. )  
 )  
Illinois Environmental Protection Agency )

**MOTION FOR EXTENSION OF TIME**

The Illinois Environmental Protection Agency (“Illinois EPA” or “Agency”), by and through its attorney, hereby submits its Motion for Extension of Time and requests an extension of time of four business days, up to and including Thursday, July 1, 2021, to file its recommendation concerning Midwest Generation, LLC’s (“MWG”) petition for a variance for Ponds 1N and 1S at its Will County Generating Station, stating as follows:

1. On May 11, 2021, MWG filed a petition (“Petition”) for variance for Ponds 1N and 1S at its Will County Generating Station, which included a request for hearing, along with a Motion for Expedited Review of the Petition.
2. The Agency’s recommendation is due June 25, 2021, Petitioner’s response is due July 9, 2021, and a hearing is set to occur on July 27, 2021. [June 3, 2021 Hearing Officer Order].
3. The Agency has been working diligently to complete two recommendations for variance petitions in PCB 21-109 Powerton Station and PCB 21-108 Will County Station, which are both due Friday, June 25, 2021.
4. The Agency plans to file its recommendation in PCB 21-109 Powerton Station by the June 25, 2021 deadline.
5. Due to the amount of time that has been required to draft its recommendation in PCB 21-109 Powerton Station, the Agency requires additional time to file its recommendation in PCB 21-108 Will County Station.

6. Furthermore, unforeseen circumstances, including the last-minute determination that the Juneteenth holiday would be observed in Illinois on Friday, June 18, 2021, and the sudden occurrence of technical difficulties resulting in the Agency's inability to access internal documents required to draft its Will County recommendation, decreased the amount of time the Agency had to complete its recommendation.

7. Therefore, the Agency requests the Illinois Pollution Control Board grant it four additional business days, up to and including July 1, 2021, to file its recommendation.

8. Counsel for the Agency contacted counsel for Petitioner, who agreed to allow the Agency four (4) additional business days to complete its recommendation. The Agency similarly agreed to allow Petitioner four (4) additional days to file its reply to the Agency's recommendation.

WHEREFORE, the Agency requests the Illinois Pollution Control Board grant it four additional business days, up to and including July 1, 2021, to file its recommendation with the Board, and grant Petitioner four additional business days to file its reply.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent,

Dated: June 24, 2021

BY: /s/ Christine Zeivel  
Christine Zeivel, #6298033  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
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[Christine.Zeivel@Illinois.Gov](mailto:Christine.Zeivel@Illinois.Gov)

**THIS FILING IS SUBMITTED ELECTRONICALLY**

**CERTIFICATE OF SERVICE**

I, the undersigned, on affirmation certify the following:

That I have served the attached **Motion for Extension of Time** by e-mail upon:

Kristen L. Gale	<a href="mailto:kg@nijmanfranzetti.com">kg@nijmanfranzetti.com</a>
Susan Franzetti	<a href="mailto:sf@nijmanfranzetti.com">sf@nijmanfranzetti.com</a>
Molly Snittjer	<a href="mailto:ms@nijmanfranzetti.com">ms@nijmanfranzetti.com</a>
Carol Webb	<a href="mailto:Carol.Webb@illinois.gov">Carol.Webb@illinois.gov</a>
Don Brown	<a href="mailto:Don.Brown@illinois.gov">Don.Brown@illinois.gov</a>

That I have served the attached **Motion for Extension of Time** upon any other persons, if any, listed on the Service List, by placing a true copy in an envelope duly address bearing proper first-class postage in the United States mail at Springfield, Illinois on June 24, 2021.

That my e-mail address is [Christine.Zeivel@Illinois.gov](mailto:Christine.Zeivel@Illinois.gov).

That the number of pages in the e-mail transmission is five (5).

That the e-mail transmission took place before 4:30 p.m. on the date of June 24, 2021.

/s/ Christine Zeivel  
June 24, 2021