

ILLINOIS POLLUTION CONTROL BOARD
July 27, 2021

MIDWEST GENERATION, LLC,)
)
 Petitioner,)
)
 v.) PCB 21-108
) (Variance - Land)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
 Respondent.)

HEARING OFFICER ORDER

HEARING REPORT

On July 27, 2021, a hearing in this matter was held at the Will County Office Building in Joliet, Illinois. Attorneys Kristin Gale, and Molly Snittjer appeared on behalf of petitioner. Attorneys Christine Zeivel and Clayton Ankney appeared on behalf of the Illinois Environmental Protection Agency.

Witnesses

Five witnesses testified during the hearing:

Mr. Bradley Castle
Mr. Richard Gnat
Ms. Sharene Shealy
Ms. Melinda Shaw
Mr. Darin LeCrone

No one offered public comment at hearing.

Exhibits

Petitioner offered five exhibits at hearing which were admitted with no objection. A list itemizing the offered exhibits and summarizing their status is attached to this order. The parties were reminded to file exhibits electronically pursuant to 35 Ill. Adm. Code 101.627.

Briefing Schedule

The parties' briefs are due by August 9, 2021, although IEPA stated that it does not plan to file a brief. There will be no response briefs. The public comment deadline is August 3, 2021.

IT IS SO ORDERED.

Carol Webb

Carol Webb
Hearing Officer
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PCB 21-108
July 27, 2021 Hearing

Exhibit List

Exhibit	Description	Status
Petitioner's Exhibit R	Letter dated February 14, 2017 from Scott Perry to IEPA re: Fugitive Dust Operating Program	Admitted
Petitioner's Exhibit S	Illinois Ambient Air Monitoring 2022 Network Plan	Admitted
Petitioner's Exhibit T	July 15, 2009 letter from petitioner to IEPA	Admitted
Petitioner's Exhibit U	Illinois EPA's Pre-Filed Answers in R20-19	Admitted
Petitioner's Exhibit V	IEPA list of CCR Surface Impoundments	Admitted

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on July 27, 2021, to each of the person on the service list below.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on July 27, 2021:

Don Brown
Illinois Pollution Control Board
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Chicago, Illinois 60601



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