

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: December 2, 2021

MIDWEST GENERATION, LLC

By: /s/ Kristen L. Gale

Kristen L. Gale
Susan M. Franzetti
Molly Snittjer
NIJMAN FRANZETTI LLP
10 South LaSalle Street Suite 3600
Chicago, IL 60603
(312) 251-5255

SERVICE LIST

Don Brown, Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, IL 60601
don.brown@illinois.gov

Christine Zeivel
Clayton Ankney
Stefanie Diers
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
Christine.Zeivel@Illinois.Gov
Clayton.Ankney@Illinois.Gov
Stefanie.Diers@Illinois.Gov

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Petitioner, Midwest Generation, LLC's Certificate of Publication was electronically filed on December 2, 2021 with the following:

Don Brown, Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, IL 60601
don.brown@illinois.gov

and that a true copy was e-mailed on December 2, 2021 to the parties listed on the above foregoing Service List.

Dated: December 2, 2021

/s/ Kristen L. Gale

Kristen L. Gale
Susan M. Franzetti
Molly Snittjer
Nijman Franzetti LLP
10 S. LaSalle Street, Suite 3600
Chicago, IL 60603
(312) 251-5255

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)

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 amended petition in this matter on November 11, 2021, and caused publication of notice of the filing of that amended petition pursuant to 35 Ill. Adm. Code 104.408 in the Pekin Daily Times on November 16, 2021. The Certificate of Publication is attached.

Respectfully submitted,
MIDWEST GENERATION, LLC

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

Date: December 2, 2021

Kristen L. Gale
Susan M. Franzetti
Molly Snittjer
Nijman Franzetti LLP
10 S. LaSalle Street, Suite 3600
Chicago, Il 60603
(312) 251-5255

AFFP

NOTICE OF PETITION BY MIDWEST

Nijman, Franzetti, LLP
10 S LaSalle St #3600 A
Chicago, IL 60603

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

Midwest Generation, LLC ("MWG") filed an Amended Petition for an Adjusted Standard 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 November 11, 2021 pursuant to 35 Ill. Adm. Code 101.400 and 104.418 for its Powerton Station located at 13082 East Manito Road, Pekin, Tazewell County, IL 61554, Illinois (docket #2021-002). The Powerton Station is a power-generating station. By the amendment to the Petition, MWG withdraws its request for 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). There is no change from the original Petition for MWG's requested regulatory relief for the Service Water Basin at the Station. The Amended Petition for an Adjusted Standard requests that the Board find 35 Ill. Adm. Code Part 845 is inapplicable to the Service Water Basin because it does not accumulate CCR. MWG proposes 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).

Affidavit of Publication

STATE OF ILLINOIS
COUNTY OF TAZEWELL

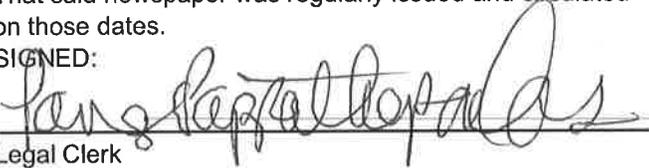
I, said Legal Clerk, being duly sworn, says:

That I am the Legal Clerk of the Pekin Daily Times, a daily newspaper of general circulation, printed and published in Pekin, Tazewell County, Illinois; that the publication, a copy of which is attached hereto, was published in the said newspaper in the issues dated:

November 16, 2021

That said newspaper was regularly issued and circulated on those dates.

SIGNED:


Legal Clerk

Subscribed to and sworn to me this 16th day of November 2021.


Notary Public, State of Wisconsin, County of Brown

My commission expires: 9-19-25

00022507 00090592

VICKY FELTY
Notary Public
State of Wisconsin