

ILLINOIS POLLUTION CONTROL BOARD  
September 7, 2023

IN THE MATTER OF: )  
)  
PETITION OF MIDWEST GENERATION, )  
LLC FOR AN ADJUSTED STANDARD )  
FROM 35 ILL. ADM. CODE 845.740(a) AND ) AS 21-1  
FINDING OF INAPPLICABILITY OF 35 ) (Adjusted Standard - Land)  
ILL. ADM. CODE 845 )

ORDER OF THE BOARD (by B. F. Currie):

Midwest Generation, LLC (Midwest) filed a petition (Pet.) pursuant to Section 28.1 of the Environmental Protection Act (Act) and Part 104 of the Board’s procedural rules. *See* 415 ILCS 5/28.1 (2022); 35 Ill. Adm. Code 104 Subpart D. Midwest had petitioned the Board for an adjusted standard from Part 845 - Standards for the Disposal of Coal Combustion Residuals (CCR) in Surface Impoundments. 35 Ill. Adm. Code 845. Specifically, Midwest sought adjusted standards for three ponds, known as Pond 1, Pond 2 and Pond 3, at its Joliet 29 Station in Joliet, Will County. The Board granted the finding of inapplicability for Ponds 1 and 3 and directed Midwest to perform testing on Pond 2.

On August 11, 2023, Midwest filed a voluntary withdrawal of petition for an adjusted standard for Pond 2 (Withdrawal). Midwest says it has determined, “it is no longer necessary to reuse the liner in Pond 2.” Withdrawal at 2. IEPA did not file a response to the withdrawal of the petition.

The Board grants the withdrawal of the petition and dismisses the case.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 7, 2023, by a vote of 4-0.



Don A. Brown, Clerk  
Illinois Pollution Control Board