

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF:	)	
	)	AS 2021-003
Petition of Midwest Generation LLC for an	)	
Adjusted Standard From 35 Ill. Adm. Code	)	(Adjusted Standard)
845.740(a) and Finding of Inapplicability of	)	
35 Ill. Adm. Code 845	)	
(Waukegan Station)	)	

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 Illinois Pollution Control Board, the Illinois Environmental Protection Agency's Response to Questions, a copy of which is herewith served upon you.

Dated: February 9, 2024

Respectfully submitted,  
ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276  
(217) 782-5544  
Sara.Terranova@Illinois.Gov

BY: /s/Sara Terranova  
Sara Terranova

**THIS FILING IS SUBMITTED ELECTRONICALLY**

**SERVICE LIST**

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Petition of Midwest Generation LLC for an )  
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35 Ill. Adm. Code 845 )  
(Waukegan Station) )

**ILLINOIS EPA'S RESPONSE TO THE ILLINOIS POLLUTION CONTROL BOARD'S QUESTIONS**

The Illinois Environmental Protection Agency ("Illinois EPA" or "Agency"), by and through its attorney, hereby submits its Response to the Illinois Pollution Control Board's Questions. The Agency states as follows:

**Illinois Pollution Control Board's Questions:**

1. In Agency Exhibit 34 *Table 2: Groundwater Analytical Results Midwest Generation LLC, Waukegan Station, IL*, there are sampling events with different detection limits between events and some detection limits are above the standard. Is IEPA aware of the reason for this? Some examples include:
  - a. For MW-05, the boron results from August 17, 2020, through February 9, 2022 have a detection limit of 5.0 mg/L when the boron standard under 845.600(a)(1) is 2.0 mg/L.
  - b. For MW-07, the sulfate results from April 22, 2020, have a detection limit of 500 mg/L when the sulfate standard under 845.600(a)(i) is 400 mg/L.
  - c. Were different methods used to analyze groundwater between sampling events and/or wells?

**Illinois EPA's Response:**

Agency Exhibit 34 is a document submitted to the Agency by the Midwest Generation LLC (Petitioner). Therefore, the Petitioner may be better situated to provide a complete explanation.

The Agency is aware that when the concentration of a contaminant in a sample exceeds a certain amount, laboratory methods may require the sample to be diluted to complete the analysis.

Dilution may result in an increased reporting limit for the analysis.

The Agency checked several of Petitioner's quarterly submissions similar to Exhibit 34, and it appears as though the sampling methods have been consistent. The Agency believes the dilution of samples to complete the analyses explains the variable reporting limits.

Respectfully submitted,

Dated: February 9, 2024

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Illinois Environmental Protection Agency  
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Sara.Terranova@Illinois.Gov

BY: /s/Sara Terranova  
Sara Terranova

IN THE MATTER OF: )  
 ) AS 2-21-003  
Petition of Midwest Generation )  
For an Adjusted Standard from ) (Adjusted Standard)  
845.740(a) and a Finding of )  
Inapplicability of Part 845 )  
(Waukegan Station) )

**AFFIDAVIT OF LYNN DUNAWAY**

Upon penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that I verily believe the same to be true:

1. I, Lynn Dunaway, have been employed by the Illinois Environmental Protection Agency (“Illinois EPA”), as contractual employee in the Bureau of Water since January 16, 2024. Previous to that I was employed as an Environmental Protection Specialist by the Illinois EPA for approximately 35 years. I am a licensed Professional Geologist.

2. As part of my duties in the Bureau of Water, I review questions posed by the Illinois Pollution Control Board (“Illinois PCB”) to the Illinois EPA related to regulatory actions in front of it, including Adjusted Standard petitions.

3. I am familiar with the document entitled, “Illinois EPA’s Response to the Illinois Pollution Control Board’s Questions” (“Illinois EPA Response”), to which this affidavit is attached. I provided review of the questions posed by the Illinois PCB to the Illinois EPA described in the Illinois EPA Response and provided the Illinois EPA’s responses. The responses provided in the attached Illinois EPA Response are accurate and true to the best of my knowledge.

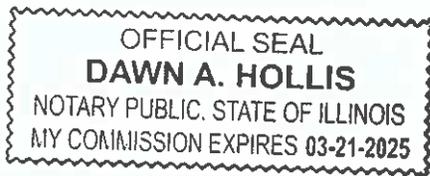
FURTHER AFFIANT SAYETH NOT

  
\_\_\_\_\_  
Lynn Dunaway

Subscribed and sworn to before me

this 9<sup>th</sup> day of February.

  
\_\_\_\_\_  
NOTARY PUBLIC



**CERTIFICATE OF SERVICE**

I, the undersigned, an attorney, state that I have served the attached NOTICE OF FILING, ILLINOIS EPA'S RESPONSE TO THE ILLINOIS POLLUTION CONTROL BOARD'S QUESTIONS, and AFFIDAVIT OF LYNN DUNAWAY for the Illinois Environmental Protection Agency upon the person to whom it is directed, via electronic mail before 5:00pm on February 9, 2024, to the following persons:

MIDWEST GENERATION, LLC  
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Susan M. Franzetti  
Kristen Laughridge Gale  
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Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: /s/ Rebecca Strauss  
Rebecca Strauss  
Assistant Counsel  
Division of Legal Counsel  
[Rebecca.Strauss@illinois.gov](mailto:Rebecca.Strauss@illinois.gov)

DATED: February 9, 2024  
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