

ILLINOIS POLLUTION CONTROL BOARD  
October 1, 2015

|                                 |   |                        |
|---------------------------------|---|------------------------|
| IPH, LLC and ILLINOIS POWER     | ) |                        |
| RESOURCES GENERATING, LLC (E.D. | ) |                        |
| EDWARDS POWER PLANT),           | ) |                        |
|                                 | ) |                        |
| Petitioner,                     | ) |                        |
|                                 | ) |                        |
| v.                              | ) | PCB 15-202             |
|                                 | ) | (Permit Appeal - Land) |
| ILLINOIS ENVIRONMENTAL          | ) |                        |
| PROTECTION AGENCY,              | ) |                        |
|                                 | ) |                        |
| Respondent.                     | ) |                        |

ORDER OF THE BOARD (by J.D. O’Leary):

On September 23, 2015, IPH, LLC and Illinois Power Resources Generating, LLC (petitioners) filed a voluntary motion to dismiss this appeal (Mot.), which contests an April 22, 2015 determination of the Illinois Environmental Protection Agency (Agency or IEPA). In that determination, the Agency issued a National Pollutant Discharge Elimination System (NPDES) Permit No. IL0001970 with conditions to petitioner’s coal-fired steam electric generating plant at 7800 South Cilco Road, Bartonville, Peoria County. On July 23, 2015, the Board granted petitioners’ unopposed request for a partial stay and stayed the effectiveness of contested Special Condition 3 until the Board takes final action on the appeal or orders otherwise.

Petitioners’ motion states that, “[o]n August 28, 2015, IEPA issued a modified version of the NPDES Permit, pursuant to agreement of the parties that addressed the issues raised in the appeal.” Mot. at 1. The Board grants petitioners’ motion for voluntary dismissal, dismisses this appeal, and closes the docket.

IT IS SO ORDERED.

I, Don A. Brown, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on October 1, 2015, by a vote of 5-0.



Don A. Brown, Assistant Clerk  
Illinois Pollution Control Board