

ILLINOIS POLLUTION CONTROL BOARD  
April 14, 2016

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APR 14 2016

STATE OF ILLINOIS  
Pollution Control Board

SIERRA CLUB, )  
)  
Complainant, )  
)  
v. )  
) PCB 13-27  
MIDWEST GENERATION, LLC, ) (Citizen Enforcement – Air)  
)  
Respondent. )



ORIGINAL

**HEARING OFFICER ORDER**

On April 14, 2016, all parties participated in a telephonic status conference with the hearing officer. It is noted that R 15-21, a rulemaking that will have an impact on the above-captioned enforcement matter, has been adopted. Pursuant to federal law, the Illinois Environmental Protection Agency (Agency) has submitted a state implementation plan (SIP), including the SO<sub>2</sub> emission limits adopted in R15-21, to the United States Environmental Protection Agency (USEPA) for approval.

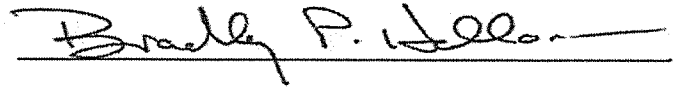
The parties remain hopeful that the SIP will be under review by the USEPA by the end of 2016. The parties agreed that the next telephonic status conference is to be held at the date and time noted below.

To that end, complainant's response to respondent's affirmative defenses is now due on or before September 9, 2016. The complainant's response due date may be revisited at the next status conference.

Further, respondent stated that the Agency is modeling the area around the Waukegan plant to determine attainment status. Results should be available this summer.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on August 19, 2016, at 11:00 a.m. The telephonic conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance. At the conference, the parties must be prepared to discuss the status of the above-captioned matter.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a solid horizontal line.

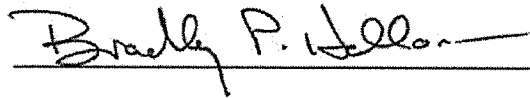
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917

## CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on April 14, 2016, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on April 14, 2016:

John T. Therriault  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph St., Ste. 11-500  
Chicago, Illinois 60601

A handwritten signature in black ink, reading "Bradley P. Halloran", is written over a horizontal line.

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
(312) 814-8917

SERVICE LIST

PCB 2013-027  
Stephen J. Bonebrake  
Schiff Hardin, LLP  
6600 Willis Tower  
233 S. Wacker Drive  
Chicago, IL 60606-6473

PCB 2013-027  
Bina Joshi  
Schiff Hardin, LLP  
6600 Willis Tower  
233 S. Wacker Drive  
Chicago, IL 60606-6473

PCB 2013-027  
Midwest Generation, LLC  
CT Corporation Systems  
208 S. LaSalle Street  
Suite 814  
Chicago, IL 60604-1101

PCB 2013-027  
David L. Wentworth II  
Hasselberg, Williams, Grebe Snodgrass &  
Birdsall  
124 SW Adams, Suite 360  
Peoria, IL 61602-1320

PCB 2013-027  
David C. Bender  
McGillivray, Westerberg & Bender, LLC  
211 S. Paterson Street  
Suite 320  
Madison, WI 53703

PCB 2013-027  
Andrew N. Sawula  
Schiff Hardin, LLP  
6600 Willis Tower  
233 S. Wacker Drive  
Chicago, IL 60606-6473

PCB 2013-027  
Zoran Balac  
Goldstein & McClinstock, LLP  
208 S. LaSalle Street  
Suite 1750  
Chicago, IL 60601

PCB 2013-027  
Faith E. Bugel  
1004 Mohawk  
Wilmette, IL 60091