

ILLINOIS POLLUTION CONTROL BOARD
May 30, 2018

SIERRA CLUB, ENVIRONMENTAL LAW)
AND POLICY CENTER, PRAIRIE RIVERS)
NETWORK, and CITIZENS AGAINST)
RUINING THE ENVIRONMENT,)
Complainants,) PCB 13-15
v.) (Citizen's Enforcement - Water)
MIDWEST GENERATION, LLC.,)
Respondent.)

HEARING OFFICER ORDER

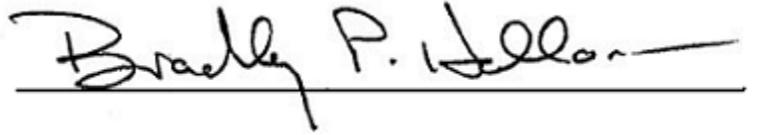
Pursuant to my order of May 15, 2018, the parties have agreed on a briefing schedule. The parties, however, have not agreed on a page limitation for the briefs.

The parties have agreed that simultaneous opening briefs are due to be filed on or before July 20, 2018. Simultaneous response briefs are due to be filed on or before August 30, 2018.

Section 101.302(k) of the Board's procedural rules states that no brief may exceed 50 pages without prior approval by the Board or the hearing officer. The page limitation does not include appendices containing relevant material. *Id.* The complainants argue in their various e-mails that they will agree to a page limit of 75 "inclusive of all statements of fact and factual and legal arguments ...which would provide clarity on what material is permissibly included in an appendix." In response, the respondent argues that since this enforcement matter involves 4 separate facilities each with different facts and legal arguments, 100 pages is needed to address the numerous allegations.

Exceedance of the page limitation is necessary because this enforcement proceeding included 10 days of hearing involving 4 separate facilities. Facts and legal arguments abound. I find that a brief containing 85 pages should be more than sufficient to resolve this matter. This limit does not include appendices containing relevant material.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

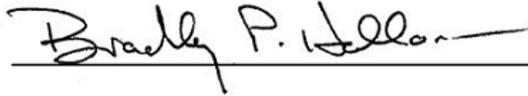
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CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on May 30, 2018, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on May 30, 2018:

Don Brown
Illinois Pollution Control Board
James R. Thompson Center
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Chicago, Illinois 60601

A handwritten signature in black ink that reads "Bradley P. Halloran" with a horizontal line underneath.

Bradley P. Halloran
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