

ILLINOIS POLLUTION CONTROL BOARD
November 19, 2019

SIERRA CLUB,)
)
Complainant,)
)
v.) PCB 19-78
) (Citizens Enforcement – Water)
ILLINOIS POWER GENERATING)
COMPANY, ILLINOIS POWER)
RESOURCES GENERATING, LLC,)
ELECTRIC ENERGY, INC., and VISTRA)
ENERGY CORPORATION,)
)
Respondents.)

HEARING OFFICER ORDER

The parties have submitted their respective proposed discovery schedules. There is a thirteenth month difference between the beginning of discovery to the end of discovery, including dispositive motions. Complainant proposes to end discovery by December 4, 2020 and respondents proposing to end discovery by November 1, 2021.

The above-captioned citizens enforcement case involves multiple counts, multiple parties and multiple sites. Sierra v. Illinois Power Generating Company, et al., PCB 19-78 (February 28, 2019). The complexity of this case necessitates the following fact discovery schedule. The remaining discovery schedule, including expert reports, depositions and dispositive motions will be addressed near completion of fact discovery.

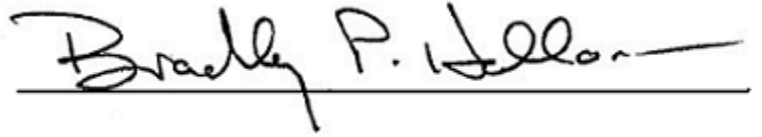
Initial written interrogatories and document requests must be issued on or before January 10, 2020;

Responses to initial written interrogatories and document requests must be served on or before March 20, 2020;

Close of fact discovery, including depositions of lay or fact witnesses must be completed on or before July 17, 2020.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on December 4, 2019, at 11:30 a.m. The telephonic status conference must be initiated by the complainant, but each party is nonetheless responsible for its own appearance.

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.

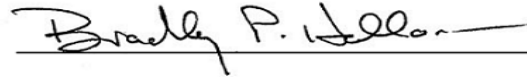
Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, Illinois 60601
312.814.8917
Brad.Halloran@illinois.gov

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed, on November 19, 2019, 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 November 19, 2019:

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

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

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
312/814-8917

@ Consents to electronic service

SERVICE LIST

PCB 2019-078@
Bridget M. Lee
Sierra Club Environmental Law Program
2101 Webster St., Suite 1300
Oakland, CA 94612

PCB 2019-078@
Greg Wannier, Staff Attorney
Sierra Club Environmental Law Program
2101 Webster St., Suite 1300
Oakland, CA 94612

PCB 2019-078@
Faith E. Bugel
1004 Mohawk
Wilmette, IL 60091

PCB 2019-078@
Joshua R. More
Schiff Hardin LLP
233 S. Wacker Drive, Suite 6600
Chicago, IL 60606

PCB 2019-078@
Daniel J. Deeb
Schiff Hardin LLP
233 S. Wacker Drive, Suite 6600
Chicago, IL 60606

PCB 2019-078@
Ryan Granholm
Schiff Hardin LLP
233 S. Wacker Drive, Suite 6600
Chicago, IL 60606

PCB 2019-078@
Caitlin Ajax
Schiff Hardin LLP
233 S. Wacker Drive, Suite 6600
Chicago, IL 60606

PCB 2019-078@
P. Stephen Gidiere III
Balch and Bingham LLP
1901 Sixth Avenue North
Suite 1500
Birmingham, AL 35203

PCB 2019-078@
Michael L. Raiff
Gibson, Dunn and Crutcher LLP
2100 McKinney Avenue
Suite 1100
Dallas, TX 75201