

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MIDWEST GENERATION, LLC)	
)	
Petitioner,)	
)	
v.)	PCB No. 20-38
)	PCB No. 20-39
ILLINOIS ENVIRONEMNTAL)	(Thermal Demonstration)
PROTECTION AGENCY,)	(Consolidated)
)	
Respondent.)	

NOTICE OF FILING

To:

Don Brown, Clerk of the Board Illinois Pollution Control Board James R. Thompson Center, Suite 11-500 100 W. Randolph Street Chicago, IL 60601 don.brown@illinois.gov (via electronic mail)	Bradley P. Halloran, Hearing Officer Illinois Pollution Control Board James R. Thompson Center, Suite 11-500 100 W. Randolph Street Chicago, IL 60601 Brad.halloran@illinois.gov (via electronic mail)
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PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board a MOTION FOR EXTENSION OF TIME TO FILE A RECOMMENDATION, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIORMENTAL PROTECTION
AGENCY

Dated: March 30, 2020

By: /s/ Sara G. Terranova
Sara G. Terranova
Assistant Counsel
Division of Legal Counsel
Sara.Terranova@illinois.gov

1021 N. Grand Avenue East
P.O. Box 19276
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MOTION FOR EXTENSION OF TIME TO FILE A RECOMMENDATION

NOW COMES the Illinois Environmental Protection Agency (Illinois EPA or Agency), by one of its attorneys, Sara G. Terranova pursuant to 35 Ill. Adm. Code 101.500 and 101.522 to request that the Illinois Pollution Control Board (Board) grant the Illinois EPA additional time to file a recommendation in the above captioned consolidated alternative thermal effluent limitations proceedings. In support of this motion, the Agency states as follows:

1. On December 30, 2019, Midwest Generation, LLC (MWGen) filed two petitions. The first requests alternative thermal effluent limitations for discharges from its Joliet 9 Generating Station, and the second seeks the same relief for discharges to the same body of water from its Joliet 29 Generating Station.

2. In its February 6, 2020 Order, the Board accepted MWGen's petitions and consolidated the two proceedings as the petitions rely on the same demonstration to seek the same regulatory relief for discharges to the same body of water.

3. Pursuant to 35 Ill. Adm. Code 106.1145, the Agency must file with the Board a recommendation within 45 days after the filing of a petition. *See* 35 Ill. Adm. Code 1145.

4. On February 18, 2020, the Board granted the Agency's request to extend the deadline to

file its recommendation by 45 days to Monday, March 30, 2020. This extension allowed the Agency to complete its review of cooling tower use and for discussions with the United States Environmental Protection Agency.

5. Due to the covid-19 pandemic, the Agency is requesting an additional 30 days to file its recommendation. This additional time will allow the Agency to adjust to the shelter-in-place order and alternative working conditions.

6. Petitioner has indicated it has no objection to the Agency's Motion for Extension of Time to File its Recommendation.

WHEREFORE, the Illinois EPA requests the Board grant the Agency an additional 30 days (April, 30 2020) to file its recommendation.

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

Dated: March 30, 2020

By: /s/ Sara G. Terranova
Sara G. Terranova
Assistant Counsel
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CERTIFICATE OF SERVICE

I, Sara G. Terranova, Assistant Counsel for the Illinois EPA, herein certifies that I have served a copy of the foregoing Notice of Filing and a Motion for Extension of Time to File a Recommendation, via electronic mail upon:

Don Brown
Clerk of the Board
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Dated: March 30, 2020

By: /s/ Sara G. Terranova
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