

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| | | |
|---------------------------------|---|---------------------------|
| DYNEGY MIDWEST GENERATION, LLC. |) | |
| (HAVANA POWER STATION), |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 06-71 |
| |) | (CAAPP Permit Appeal—Air) |
| ILLINOIS ENVIRONMENTAL |) | |
| PROTECTON AGENCY, |) | |
| |) | |
| Respondent. |) | |
| |) | |

NOTICE OF FILING

To:

Don Brown, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 West Randolph
Chicago, Illinois 60601

Ellen F. O’Laughlin
Assistant Attorney General
Environmental Bureau
69 West Washington Street, 18th Floor
Chicago, Illinois 60602

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

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the attached **Motion for Voluntary Dismissal of Permit Appeal**, a copy of which is herewith served upon you.

/s/ Ryan C. Granholm

Ryan C. Granholm

Dated: June 5, 2020

SCHIFF HARDIN LLP
Attorneys for Dynegy Midwest Generation, LLC
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MOTION FOR VOLUNTARY DISMISSAL OF PERMIT APPEAL

Petitioner, by and through its attorneys, Schiff Hardin LLP, and pursuant to 35 Ill. Admin. Code 101.500 hereby voluntarily moves to dismiss the above captioned permit appeal. This voluntary dismissal is without prejudice to Petitioner’s ability to prosecute challenges to any permit issued to any other facility owned or operated by Petitioner, to any claims Petitioner may have in any other permit appeals currently before the Board, and to any claims it may have with respect to future permits for this facility. Petitioner further requests that the Board order each party to bear its own costs and fees for this permit appeal. Petitioner contacted counsel for Respondent who stated she had no objection to this motion.

Respectfully submitted,

DYNEGY MIDWEST GENERATION, LLC

by:

/s/ Andrew N. Sawula

 One of Its Attorneys

Dated: June 5, 2020

SCHIFF HARDIN LLP

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Phone: 847-295-4336

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 5th day of June, 2020, I have served electronically the attached **Motion for Voluntary Dismissal of Permit Appeal**, upon the following persons by e-mail at the email addresses indicated below:

Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
brad.halloran@illinois.gov

Ellen F. O'Laughlin
Assistant Attorney General
Environmental Bureau
69 West Washington Street, 18th Floor
Chicago, Illinois 60602
eolaughlin@atg.state.il.us

I further certify that my email address is rgranholm@schiffhardin.com; the number of pages in the email transmission is 5; and the email transmission took place today before 5:00 p.m.

/s/ Ryan C. Granholm

Ryan C. Granholm

SCHIFF HARDIN LLP
Attorneys for Dynegy Midwest Generation, LLC
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