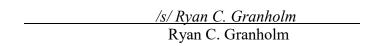
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
)	
STANDARDS FOR THE DISPOSAL OF)	R20-19
COAL COMBUSTION RESIDUALS)	(Rulemaking – Land)
IN SURFACE IMPOUNDMENTS:)	
PROPOSED NEW 35 ILL. ADM. CODE 845)	
	•	

NOTICE OF FILING

To: ALL PARTIES ON THE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **Motion to Correct Transcripts**, copies of which are herewith served upon you.



Dated: September 11, 2020

SCHIFF HARDIN LLP Joshua R. More Stephen J. Bonebrake Ryan C. Granholm 233 South Wacker Drive, Suite 7100 Chicago, Illinois 60606 (312) 258-5500

Michael L. Raiff GIBSON, DUNN & CRUTCHER LLP 2001 Ross Avenue, Suite 2100 Dallas, TX 75201-6912 (214) 698-3350 mraiff@gibsondunn.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
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STANDARDS FOR THE DISPOSAL OF)	R20-19
COAL COMBUSTION RESIDUALS)	(Rulemaking – Land)
IN SURFACE IMPOUNDMENTS:)	
PROPOSED NEW 35 ILL. ADM. CODE 845)	

Motion to Correct Transcripts

NOW COME Dynegy Midwest Generation, LLC, Electric Energy, Inc., Illinois Power Generating Company, Illinois Power Resources Generating, LLC, and Kincaid Generation, LLC, (collectively, "Dynegy"), by their attorneys, Schiff Hardin LLP, pursuant to 35 Ill. Admin. Code § 101.604, and request that the Hearing Officer order correction of the transcript for the hearing held in this matter on August 13, 2020, in accordance with the below chart.

August 13 Transcript:

Page	Line	Now Reads:	Requested Correction:
25	23	" detection that assessment	" detection then assessment monitoring.
		monitoring"	•••
31	3-4	" between a graph, a	" between a draft , a presubmitted
		presubmitted draft"	draft"
31	6-7	" more stringent of 620 and –	" more stringent of 620 and – or 845 was
		or 840 was applicable."	applicable."
35	3-4	" it says 658 specifies"	" it says 650(a) specifies"
39	4	" any rest for calcium"	" any reason to test for calcium"
40	9-10	" standard under Part 845 in	" standard under Part 845 and
		calcium,"	calcium,"
42	22	" question about 610(c)."	" question about 610(d)."
42	23	"Proposed Section 610(c)	"Proposed Section 610(d) relates"
		relates"	
43	18-	"standards as mentioned at a	"standards as measured at a CCR
	19	CCR surface impoundments point	surface impoundment's points of
		of compliance."	compliance."
44	7-8	" surface impoundments point	" surface impoundment's points of
		of compliance"	compliance"
45	20	" pursuant to 610(b),"	" pursuant to 610(d),"

Page	Line	Now Reads:	Requested Correction:
48	7	" remainder of Subpart S."	" remainder of Subpart F."
48	9	" it says independent	" it says in the event of a release"
		release"	•
51	20-	" in order to comply with	" in order to comply with Section
	21	Section 845.610(b)?"	845.610(d)?"
52	2	" the entirety of 610(b)	" the entirety of 610(d) including"
		including"	
55	21	" releases of CCR to land	" releases of CCR to land or to surface
		surface waters"	waters"
55	22	" more came to the	" more akin to the second"
		second"	
56	1	"49(c)?"	"49(b)?"
61	17	" Part 85 requires"	" Part 845 requires"
64	17	" at that Dan River,"	" at the Dan River,"
67	8	" dissolved phased constituent	" dissolved phase constituent
		release"	release"
67	13	" there is two triggers"	" there are two triggers"
67	22	" duplicatus requirement"	" duplicative requirement"
68	5	" dissolved phased	" dissolved phased constituent "
		requirement"	
68	9	" corresponding provision	" corresponding provision to Exhibit
		Exhibit 10 "	10 "
93	2-3	" 22(b) wherein response—I'm	" 22(b) where, in response—I'm sorry—
		sorry—in Exhibit 2 wherein	in Exhibit 2 where, in response to a
		response to a question"	question"
93	14	" such a gradient well"	" such upgradient wells"
98	2-3	" wells lined between"	" wells located in between"
99	13	" value in the 600's."	" value in Section 845.600 ."
119	14	" statistics held to account"	" statistics help to account"
119	22	" occurred under Part 45,"	" occurred under Part 845,"
134	16	" whether do concur or do not	" whether to concur or to not
		concur"	concur"
149	3-4	" the exceedance now resolved	" the exceedance is not the result of the
1.70	1.6	to the operation"	operation"
150	16	" will the appeal or un-appeal	" will the appeal or an appeal stay the
1.50	2.4	stay the requirement"	requirement"
158	24	" wouldn't quarterly	" wouldn't quarterly groundwater
1.64	22	groundwater mentoring be"	monitoring be"
164	23-	" ELPC Question's 32 and 33	" ELPC Questions 32 and 33 on Page
	24	to Page 41 of Exhibit 2."	41 of Exhibit 2."

Page	Line	Now Reads:	Requested Correction:
165	17	" any activity required by Part 245."	" any activity required by Part 845."
168	24	" what information is,"	" what the information is,"
169	3	" where is the permit at its	" where is the permit at in its
		process"	process"
177	9	"MS. CASSEL:"	"MS. ZEIVEL: "
177	13	" overtop an impoundments berms"	" overtop an impoundment's berms"
184	21	" what environmental justice"	" what an environmental justice"
198	4-5	" notified by their status designate by putting it"	" notified of their status designation by putting it"
205	12	" the closure message"	" the closure method "
208	14- 15	" after infiltration is left"	" after infiltration has stopped,"
213	7-8	"—water table fluctuates"	"—a water table fluctuates"
213	16	" CCR impoundment where"	" CCR impoundments where"
216	16- 17	" we have—I expect in somewhere"	" we have—I expect at some where"
220	1	" transport of contaminates"	" transport of contaminants "
221	22- 23	"It is not explicitly required implicitly and by that language, and as agency practice,"	"It is not explicitly required, but implicitly and by that language, and as agency practice,"
222	16- 17	"Instead of implicit concerns about rivers"	"Instead of stating that concerns about rivers"
223	4-5	"What was the first instance, the name of the site?"	"What was the first sentence , the name of the site?"
226	12- 13	" surface impoundments, solids"	" surface impoundment solids"
228	5-6	" thoroughly referring it"	" thoroughly reviewing it"
231	6-7	" electric salts"	" electric trucks "

Dated: September 11, 2020

Respectfully submitted,

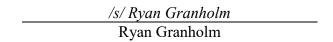
/s/ Ryan C. Granholm
Attorney for Dynegy

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 11th day of September, 2020, I have electronically served the attached **Motion to Correct Transcripts**, upon all parties on the attached service list. I further certify that my email address is rgranholm@schiffhardin.com; the number of pages in the email transmission is 9; and the email transmission took place today before 5:00 p.m.



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