

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) AS 2021-003
PETITION OF MIDWEST)
GENERATION, LLC FOR AN)
ADJUSTED STANDARD FROM) (Adjusted Standard)
845.740(a) AND FINDING OF)
INAPPLICABILITY OF PART 845)

NOTICE OF FILING

To: See attached Service List

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board a Certificate of Publication in the Daily Herald and a Certificate of Publication in the Daily Herald Reflejos, copies of which are herewith served upon you.

Dated: February 9, 2024

MIDWEST GENERATION, LLC

By: /s/Kristen L. Gale

Kristen L. Gale
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SERVICE LIST

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing, and a Certificate of Publication in the Daily Herald and a Certificate of Publication in the Daily Herald Reflejos were electronically filed on February 9, 2024 with the following:

Don Brown, Clerk of the Board
Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630
Chicago, IL 60605
don.brown@illinois.gov

and that copies were sent via e-mail on August 9, 2023 to the parties on the service list.

Dated: February 9, 2024

/s/Kristen L. Gale

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CERTIFICATION OF PUBLICATION

MIDWEST GENERATION, LLC., by its attorneys, certifies that Notice of the Petition by Midwest Generation, LLC for an Adjusted Standard Before the Illinois Pollution Control Board was published in English and Spanish in both the Daily Herald and the Daily Herald Reflejos on February 9, 2024. Copies of these published notices are attached.

Dated: February 9, 2024

MIDWEST GENERATION, LLC

By: /s/Kristen L. Gale _____

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NOTICE OF PETITION BY MIDWEST GENERATION, LLC FOR AN ADJUSTED STANDARD BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
Midwest Generation, LLC ("MWG") filed a Third Amended Petition for an Adjusted Standard and Finding of Inapplicability of the Illinois Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments at 35 Ill. Adm. Code 845 (PCB AS 2021-003) with the Illinois Pollution Control Board on February 7, 2024 pursuant to 35 Ill. Adm. Code 104.408 and 104.418 for its Waukegan Station located at 401 East Greenwood Ave, Waukegan, Lake County, Illinois. Waukegan Station is a power-generating station. By the third amendment to the Petition, MWG is adding additional conditions to the proposed adjusted standard for the area called the "Grassy Field." Pursuant to 35 Ill. Adm. Code 104.418(d), MWG did not repeat the unchanged portions of the original filing, and incorporates by reference those portions, including its request that the Illinois Pollution Control Board find 35 Ill. Adm. Code Part 845 inapplicable to the Grassy Field. The Third Amended Petition for an Adjusted Standard requests that the Board find 35 Ill. Adm. Code Part 845 is inapplicable to the Grassy Field because it does not accumulate CCR and liquid. MWG proposes the following adjusted standard language: "Part 845 of the Illinois Pollution Control Board Regulations does not apply to the 10-acre area west of the West Pond known as the Grassy Field located at the MWG Waukegan Generating Station, 401 East Greenwood Ave, Waukegan, IL 60087 because it is an unconsolidated fill area. MWG will continue to conduct quarterly groundwater monitoring of each monitoring well at the Waukegan Station for the constituents listed in 35 Ill. Adm. Code 620.410(a), with the exception of perchlorate, in the addition of field pH and static water elevation. MWG will report the analytical results and field measurements to the Agency quarterly. Two copies of the quarterly reports shall be submitted to: Groundwater Section Illinois Environmental Protection Agency Division of Public Water Supplies MC #13 1021 North Grand Avenue East Springfield, IL 62794-9276. Additionally, in the event the federal proposed rules for CCR MUs are not passed by April 2025, or twelve months after the Board's final order in Sierra Club et al. v. Midwest Generation, LLC, PCB13-15, coordinate with IEPA to discuss installing an engineered cap over the FS Area at the Waukegan Station, or taking other appropriate action as deemed necessary, taking into consideration the status of the federal CCR management unit rule and/or the Board's subdocket in PCB20-19(A)." Any person may cause a public hearing to be held in the above-described adjusted standard proceeding by filing a hearing request with the Illinois Pollution Control Board within 21 days after the date of the publication of this notice. The hearing request should indicate the docket number for the adjusted standard proceeding, as found in this notice. The hearing request must be mailed to the Clerk, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601, or filed electronically through COOL, located on the Board's website (www.ipcb.state.il.us).
Published in Daily Herald February 9, 2024 (4611703)

PADDOCK PUBLICATIONS
P. O. Box 280, Arlington Heights, IL 60006
publisher of

DAILY HERALD REFLEJOS

CERTIFICATE OF PUBLICATION

This is to certify that a public notice for the Lake County Community Development Division appeared in the Friday, February 9, 2024 issue of REFLEJOS.

REFLEJOS is a weekly publication serving Latinos in Cook, DuPage, Kane, Kendall, DeKalb, Lake, McHenry, and Will Counties.

Dated: February 9, 2024

Paula Raetzman
Legal Coordinator

AVISO DE PETICIÓN DE MIDWEST GENERATION, LLC PARA UN ESTÁNDAR AJUSTADO ANTE LA JUNTA DE CONTROL DE LA CONTAMINACIÓN DE ILLINOIS. Midwest Generation, LLC ("MWG") presentó una Tercera Petición Enmendada para un Estándar Ajustado y Determinación de Inaplicabilidad de los Estándares de Illinois para la Eliminación de Residuos de Combustión de Carbón en Embalses Superficiales en 35 Ill. Adm. Code 845 (PCB AS 2021-003) ante la Junta de Control de la Contaminación de Illinois el 7 de febrero de 2024 de conformidad con 35 Ill. Adm. Code 104.408 y 104.418 para su estación Waukegan ubicada en 401 East Greenwood Ave, Waukegan, condado de Lake, Illinois. La estación de Waukegan es una estación generadora de energía. Con la tercera enmienda a la Petición, MWG está agregando condiciones adicionales al estándar ajustado propuesto para el área llamada "Campo de Hierba". De conformidad con el Título 35 del Código Administrativo de Illinois 104.418(d), MWG no repitió las partes sin cambios de la presentación original, e incorpora por referencia esas partes, incluida su solicitud de que la Junta de Control de la Contaminación de Illinois determine que el Título 35 del Código Administrativo de Illinois, Parte 845, es inaplicable al Campo de Hierba. La Tercera Petición Enmendada para una Norma Ajustada solicita que la Junta determine que la Parte 845 del Título 35 del Código Administrativo de Illinois es inaplicable al Grassy Field porque no acumula CCR ni líquido. MWG propone el siguiente lenguaje estándar ajustado: "La Parte 845 de las Regulaciones de la Junta de Control de la Contaminación de Illinois no se aplica al área de 10 acres al oeste del West Pond conocida como Grassy Field ubicada en la Estación Generadora MWG Waukegan, 401 East Greenwood Ave, Waukegan, IL 60087 porque es un área de relleno no consolidada. MWG continuará realizando un monitoreo trimestral de los aguas subterráneas de cada pozo de monitoreo en la Estación de Waukegan para los componentes enumerados en 35 Ill. Adm. Code 620.410 (a), con la excepción del perclorato, además del pH del campo y la elevación estática del agua. MWG informará trimestralmente a la Agencia sobre los resultados analíticos y las mediciones sobre el terreno. Se enviarán dos copias de los informes trimestrales a: Sección de Aguas Subterráneas División de Suministros Públicos de Agua de la Agencia de Protección Ambiental de Illinois MC # 13 1021 North Grand Avenue East Springfield, IL 62794-9276. Además, en caso de que las reglas federales propuestas para las CCRMU no se aprueben antes de abril de 2025, o doce meses después de la orden final de la Junta en Sierra Club et al. v. Midwest Generation, LLC, PCB13-15, coordine con IEPA para discutir la instalación de una tapa de ingeniería sobre el área de FS en la estación de Waukegan, o tome otras medidas apropiadas según se considere necesario, teniendo en cuenta el estado de la regla de la unidad de administración federal de CCR v/o el subexpediente de la Junta en PCB20-19 (A)". Cualquier persona puede hacer que se lleve a cabo una audiencia pública en el procedimiento estándar ajustado descrito anteriormente mediante la presentación de una solicitud de audiencia ante la Junta de Control de la Contaminación de Illinois dentro de los 21 días posteriores a la fecha de publicación de este aviso. La solicitud de audiencia debe indicar el número de expediente para el procedimiento estándar ajustado, como se encuentra en este aviso. La solicitud de audiencia debe enviarse por correo al Secretario de la Junta de Control de la Contaminación de Illinois, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601, o presentarse electrónicamente a través de COOL, que se encuentra en el sitio web de la Junta (www.ipcb.state.il.us). Published in Daily Herald February 9, 2024 (4611704)

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Dated: February 9, 2024

Paula Raetzman
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CERTIFICATE OF PUBLICATION
Paddock Publications, Inc.

Lake County
Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Lake County DAILY HERALD**. That said **Lake County DAILY HERALD** is a secular newspaper, published in Libertyville, Lake County, State of Illinois, and has been in general circulation daily throughout Lake County, continuously for more than 50 weeks prior to the first Publication of the attached notice, and a newspaper as defined by 715 ILCS 5/5.

I further certify that the **Lake County DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 02/09/2024 in said **Lake County DAILY HERALD**. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

BY *Danula Baltz*
Designee of the Publisher of the Daily Herald

Control # 4611703



AVISO DE PETICIÓN DE MIDWEST GENERATION, LLC PARA UN ESTÁNDAR AJUSTADO ANTE LA JUNTA DE CONTROL DE LA CONTAMINACIÓN DE ILLINOIS. Midwest Generation, LLC ("MWG") presentó una Tercera Petición Enmendada para un Estándar Ajustado y Determinación de Inaplicabilidad de los Estándares de Illinois para la Eliminación de Residuos de Combustión de Carbón en Embalses Superficiales en 35 Ill. Adm. Code 845 (PCB AS 2021-003) ante la Junta de Control de la Contaminación de Illinois el 7 de febrero de 2024 de conformidad con 35 Ill. Adm. Code 104.408 y 104.418 para su estación Waukegan ubicada en 401 East Greenwood Ave, Waukegan, condado de Lake, Illinois. La estación de Waukegan es una estación generadora de energía. Con la tercera enmienda a la Petición, MWG está agregando condiciones adicionales al estándar ajustado propuesto para el área llamada "Campo de Hierba". De conformidad con el Título 35 del Código Administrativo de Illinois 104.418(d), MWG no repitió las partes sin cambios de la presentación original, e incorpora por referencia esas partes, incluida su solicitud de que la Junta de Control de la Contaminación de Illinois determine que el Título 35 del Código Administrativo de Illinois, Parte 845, es inaplicable al Campo de Hierba. La Tercera Petición Enmendada para una Norma Ajustada solicita que la Junta determine que la Parte 845 del Título 35 del Código Administrativo de Illinois es inaplicable al Grassy Field porque no acumula CCR ni líquido. MWG propone el siguiente lenguaje estándar ajustado: "La Parte 845 de los Reglamentos de la Junta de Control de la Contaminación de Illinois no se aplica al área de 10 acres al oeste del West Pond conocida como Grassy Field ubicada en la Estación Generadora MWG Waukegan, 401 East Greenwood Ave, Waukegan, IL 60087 porque es un área de relleno no consolidada. MWG continuará realizando un monitoreo trimestral de los aguas subterráneas de cada pozo de monitoreo en la Estación de Waukegan para los componentes enumerados en 35 Ill. Adm. Code 620.410 (a), con la excepción del perclorato, además del pH del campo y la elevación estática del agua. MWG informará trimestralmente a la Agencia sobre los resultados analíticos y las mediciones sobre el terreno. Se enviarán dos copias de los informes trimestrales a: Sección de Aguas Subterráneas División de Suministros Públicos de Agua de la Agencia de Protección Ambiental de Illinois MC # 13 1021 North Grand Avenue East Springfield, IL 62794-9276. Además, en caso de que los reglas federales propuestas para los CCRMU no se aprueben antes de abril de 2025, o doce meses después de la orden final de la Junta en Sierra Club et al. v. Midwest Generation, LLC, PCB13-15, coordine con EPA para discutir la instalación de una tapa de ingeniería sobre el área de FS en la estación de Waukegan, o tome otras medidas apropiadas según se considere necesario, teniendo en cuenta el estado de la regla de la unidad de administración federal de CCR y/o el subexpediente de la Junta en PCB20-19 (A)". Cualquiera persona puede hacer que se lleve a cabo una audiencia pública en el procedimiento estándar ajustado descrito anteriormente mediante la presentación de una solicitud de audiencia ante la Junta de Control de la Contaminación de Illinois dentro de los 21 días posteriores a la fecha de publicación de este aviso. La solicitud de audiencia debe indicar el número de expediente para el procedimiento estándar ajustado, como se encuentra en este aviso. La solicitud de audiencia debe enviarse por correo al Secretario de la Junta de Control de la Contaminación de Illinois, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601, o presentarse electrónicamente a través de COOL, que se encuentra en el sitio web de la Junta (www.ipcb.state.il.us). Published in Daily Herald February 9, 2024 (4611704)

Electronic Filing: Received, Clerk's Office 02/09/2024

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