

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DYNEGY MIDWEST)	
GENERATION, LLC,)	
)	
)	
Petitioner,)	
)	
v.)	
)	PCB 2025-015
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

To: See Attached Service List (Via Electronic Filing)

PLEASE TAKE NOTICE that the undersigned filed today with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the following NOTICE OF FILING, CERTIFICATE OF SERVICE, CERTIFICATE OF RECORD ON APPEAL, and RECORD ON APPEAL, copies of which are attached hereto and hereby served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

By: /s/Mallory Meade
Mallory Meade, #6345981
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Environmental Bureau
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Dated: December 30, 2024

SERVICE LIST

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 30, 2024, before 5:00 PM, she caused to be served by electronic mail, a true and correct copy of the following instruments entitled Notice of Filing and Record on Appeal to:

Joshua R. More
Bina Joshi
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Illinois Pollution Control Board
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This email transmission contains 3274 pages.

/s/ Mallory Meade
Assistant Attorney General
Environmental Bureau

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this Certificate of Service are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

/s/ Mallory Meade
Assistant Attorney General
Environmental Bureau

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ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
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CERTIFICATE OF RECORD ON APPEAL

Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), in accordance with the procedural rules of the Illinois Pollution Control Board ("Illinois PCB") as set forth in 35 Ill. Adm. Code 105.212 and 105.116, files as its Record in this cause the Illinois EPA's record of non-concurrence of the Vermilion Power Plant New East Ash Pond Alternative Source Demonstration ("ASD"), which is attached and consists of the following documents:

PAGES	DOCUMENT	DATE
R000002 - R000011	1 Drever, James I. The Geochemistry of Natural Waters: Surface and Groundwater Environments. Prentice Hall. Third Edition.	1997
R000013 - R000022	2 Faybishenko, Boris, Paul A. Witherspoon and Sally M. Benson Editors. Dynamics of Fluids in Fractured Rock. American Geophysical Union.	2000
R000024	3 USEPA SW-846 Disclaimer	7/2014
R000026 - R000050	4 USEPA SW-846 Chapter 1, Project Quality Assurance and Quality Control	7/2014

Electronic Filing: Received, Clerk's Office 12/30/2024

R000052 - R000141	5	USEPA SW-846 Chapter 2, Choosing the Correct Procedure	7/2014
R000143 - R000179	6	US EPA SW846 Method 1315	7/31/2017
R000181 - R000200	7	US EPA SW846 Method 1316	7/31/2017
R000202 - R000231	8	USEPA GW Guide 2017	9/19/2017
R000233 - R00500	9	Fetter, C.W., Thomas Boving, and David Kreamer. Contaminant Hydrogeology. Waveland Press. Third Edition.	12/31/2018
R00502 - R00641	10	TITLE 35: Environmental Protection, SUBTITLE G: Waste Disposal, CHAPTER I: Pollution Control Board, SUBCHAPTER j: Coal Combustion Waste Surface Impoundments, PART 845: Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments	4/21/21
R000643 - R001759	11	Vermilion East Ash Pond Part 845 Operations Permit Application	10/25/2021
R001761 - R003062	12	Vermilion East Ash Pond Part 845 Construction Permit Application	1/28/2022
R003064 - R003078	13	Region 4 USEPA Laboratory Services & Applied Science Division: Operating Procedure - Pore Water Sampling	4/22/2023
R003080 - R003083	14	Email thread from Michael Summers to Lauren Hunt, Lynn Dunnaway, and IEPA staff RE: Joppa West Adjusted Standard Recommendation Meeting Follow Up	11/1/2023
R003085 - R003086	15	Email thread from Stefanie Diers to Lynn Dunnaway, Sara Terranova and IEPA staff RE: Joppa AS	11/2/2023
R003088 - R003103	16	Prairie River Network's public comments on ASD for Vermilion NEAP	12/19/2023
R003105 - R003212	17	Copy of Dynegy Midwest, LLC's Alternative Source Demonstration Submittal for the Vermilion Power Plant New East Ash Pond	7/4/2024

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R003214	18	Email from Brian Voelker to IEPA staff RE: Alternate Source Demonstration – Vermilion Power Plant NEAP 07 24 2024	7/24/2024
R003216 - R003217	19	Email from EPA.CCR.Part845.Coordinator to IEPA Staff RE: Alternative Source Demonstration (ASD) for Vermilion Power Plant New East Ash Pond; IEPA ID # W1838000002-94	7/24/2024
R003219	20	Email from Josiah Seif to IEPA staff RE: Alternative Source Demonstration (ASD) for Vermilion Power Plant New East Ash Pond; IEPA ID # W1838000002-94	7/24/2024
R003221	21	Email from Lauren Hunt to Darin LeCrone, Justin Bierwagen RE: Vermilion ASD signing and mailing	7/2024
R003223 - R003225	22	Email thread from Mychal Ozaeta to Justin Bierwagen RE: Alternative Source Demonstration (ASD) for Vermilion Power Plant New East Ash Pond; IEPA ID # W1838000002-94	8/02/2024
R003227	23	Email from Mychal Ozaeta to IEPA staff RE: Prairie Rivers Network Comments on ASD for Vermilion NEAP	8/07/2024
R003229 - R003246	24	Prairie Rivers Network Public Comments on Alternative Source Demonstration for Vermilion New East Ash Pond, IEPA ID # W1838000002-94	8/07/2024
R003248	25	Email from Lauren Hunt to IEPA staff RE: Vermilion Submittal July 2024	8/14/2024
R003250	26	Email from Justin Bierwagen to Lauren Hunt RE: Vermilion Draft ASD Denial July 2024	8/14/2024
R003252	27	Second Draft of Vermilion ASD Review (attachment to Document 26)	8/14/2024
R003254	28	First Final Draft of Vermilion ASD Review	8/20/2024
R003256 - R003257	29	Email from Heather Mullenax to Justin Bierwagen, Lauren Hunt RE: Geochemistry questions for Vermilion ASD	8/20/2024
R003259	30	Second Final Draft of Vermilion ASD Review	8/20/2024

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R003261 - R003264	31	Email thread Lauren Hunt, Justin Bierwagen, Josiah Seif RE: Draft Final July 2024 Vermilion ASD Letter	8/22/2024
R003266	32	Final Vermilion ASD Letter with signature	8/22/2024

I, Lauren Hunt, of the Illinois EPA, hereby certify that the documents of the Record on Appeal filed in the above referenced matter and summarized in the above Index are complete to the best of my knowledge, information, and belief.

BY: s/ Lauren Hunt

Lauren Hunt

Environmental Protection Geologist III

Illinois Environmental Protection Agency

Respectfully submitted,

KWAME RAOUL,
Attorney General of the
State of Illinois,

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

By: /s/Mallory Meade
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/s/Samuel Henderson
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Dated: December 30, 2024