

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS POWER)	
GENERATING COMPANY,)	
)	
Petitioner,)	
)	
v.)	
)	PCB 2024-043
ILLINOIS ENVIRONMENTAL PROTECTION)	(Petition for review – Alternative
AGENCY,)	Source Determination)
)	
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 RESPONDENT'S MOTION FOR LEAVE TO FILE A RESPONSE, copies of which are attached hereto and hereby served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Mallory Meade
Mallory Meade, #6345981
Assistant Attorney General
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706
(217) 299-8343
mallory.meade@ilag.gov

Dated: February 4, 2025

SERVICE LIST

Joshua R. More
Bina Joshi
Samuel A. Rasche
ARENTFOX SCHIFF LLP
233 South Wacker Drive, Suite 7100
Chicago, Illinois 60606
Joshua.More@afslaw.com
Bina.Joshi@afslaw.com
Sam.Rasche@afslaw.com

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274
carol.webb@illinois.gov

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 4, 2025, 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 Respondent's Motion for Leave to File a Response to:

Joshua R. More
Bina Joshi
Samuel A. Rasche
ARENTFOX SCHIFF LLP
233 South Wacker Drive, Suite 7100
Chicago, Illinois 60606
Joshua.More@afslaw.com
Bina.Joshi@afslaw.com
Sam.Rasche@afslaw.com

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274
carol.webb@illinois.gov

This email transmission contains 5 pages.

/s/ Mallory Meade
mallory.meade@ilag.gov
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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS POWER)	
GENERATING COMPANY,)	
)	
Petitioner,)	
)	
v.)	
)	PCB 2024-043
ILLINOIS ENVIRONMENTAL PROTECTION)	(Petition for review – Alternative
AGENCY,)	Source Determination)
)	
Respondent.)	

RESPONDENT’S MOTION FOR LEAVE TO FILE A RESPONSE

NOW COMES Respondent, the Illinois Environmental Protection Agency, by and through its attorney, KWAME RAOUL, Attorney General of the State of Illinois, and hereby moves for leave to file a response to Comments of Sierra Club, Earthjustice, and Prairie Rivers Network, filed November 21, 2024, and Petitioner’s response to those public comments. In support thereof, Respondent states as follows:

1. On November 21, 2024, Sierra Club, Earthjustice, and Prairie Rivers Network filed a public comment (“the public comment”) in response to the parties’ Motions for Summary Judgment in this matter.
2. On November 25, 2024, Petitioner requested leave to file a response to the public comment by December 31, 2024. Leave was granted on November 26, 2024.
3. On December 19, 2024, Petitioner requested additional time until January 10, 2025, to respond to the public comment. This request for additional time was granted on December 19, 2024.
4. Petitioner filed a response to the public comment on January 10, 2025.

5. Respondent now seeks leave to file a response to both Sierra Club, Earthjustice, and Prairie Rivers Network's public comment and Petitioner's response to that comment.

6. Respondent would be materially prejudiced if left unable to respond to the public comment and Petitioner's response.

7. Respondent's request is for good cause and will not prejudice Petitioner or unduly delay this matter.

WHEREFORE, for the reasons set forth above, Respondent Illinois EPA respectfully requests leave to file a response to Comments of Sierra Club, Earthjustice, and Prairie Rivers Network, filed November 21, 2024, and Petitioner's response to those public comments.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

By: /s/Mallory Meade
Mallory Meade, #6345981
Assistant Attorney General
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706
(217) 299-8343
mallory.meade@ilag.gov

Dated: February 4, 2025