

ILLINOIS POLLUTION CONTROL BOARD

January 22, 2026

PRAIRIE STATE GENERATING)
COMPANY, LLC,)
)
Petitioner,)
)
v.)
	PCB 25-11
	(Permit Appeal - Air)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by M. Gibson):

On December 5, 2024, the Board agreed with Prairie State Generating Company, LLC (Prairie State) and directed the Illinois Environmental Protection Agency's (IEPA) to issue a draft permit or a refusal to grant a permit within one year of Prairie State filing its new Clean Air Act Permit Program (CAAPP) permit application. The Board also directed IEPA to issue a final permit, if it decided to issue a draft permit, within two years of Prairie State filing its new CAAPP permit application.

On March 19, 2025, Prairie State filed a motion to clarify the Board order. Prairie State sought clarification because, in the related federal case between the Sierra Club and Prairie State, the Sierra Club suggested that the Board ordered Prairie State to file a new CAAPP application instead of just updating its 2011 application.

On April 4, 2025, IEPA filed a response generally agreeing with the motion to modify. On April 3, 2025, Prairie State filed a reply, but did not include a motion for leave to file a reply. *See* 35 Ill. Adm. Code 101.502(e). The Board will not consider the reply in deciding the motion to clarify as the reply is not necessary to avoid material prejudice.

Section 101.904 of the Board's rules allows for relief from the Board's final opinions and orders. 35 Ill. Adm. Code 101.904. The Board is unconvinced that any of the provisions of Section 101.904 are applicable in this instance. Further, the Board finds it need not modify the order to clarify the Board's intent. The order is clear that IEPA must review an updated version of the 2011 CAAPP permit provided by Prairie State. Additionally, the related federal court case was dismissed, so the Board finds the motion for clarification moot.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 22, 2026, by a vote of 5-0.

Don A. Brown

Don A. Brown, Clerk
Illinois Pollution Control Board