

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**JUL 13 2004**

**Midwest Generation EME, LLC,**  
**Petitioner**

v.

**Illinois Environmental Protection Agency,**  
**Respondent**

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**PCB 04-216**  
**Trade Secret Appeal**

**STATE OF ILLINOIS**  
**Pollution Control Board**

**NOTICE OF FILING**

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Please take notice that today we have filed with the Office of the Clerk of the Pollution Control Board an original (1) and four (4) copies of the Administrative Record in the captioned matter. A copy is herewith served upon the assigned Hearing Officer, the attorneys for the Petitioner, Midwest Generation EME, LLC, and the attorneys for the Sierra Club (redacted record only).

Dated: Chicago, Illinois  
July 13, 2004

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Midwest Generation EME, LLC )  
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v. )  
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ADMINISTRATIVE RECORD OF TRADE SECRET DETERMINATION

Respondent Illinois Environmental Protection Agency ("IEPA"), by Lisa Madigan, Attorney General of the State of Illinois, in accordance with the Board's order of June 17, 2004 and the Hearing Officer's order of July 8, 2004, files its Administrative Record of Trade Secret Determination ("Administrative Record") in this cause.

The original and four (4) copies of this Administrative Record are filed with the Board. Volume I is a copy of information that may be made available to the public without compromising the claimed trade secrets. Volume II represents the trade secret copy of information consisting only of Commonwealth Edison's response to the USEPA's Section 114 information request and Commonwealth Edison's trade secret Statement of Justification.

Since Volume I of the Administrative Record is identical for this matter and the closely-related companion matter, PCB No. 04-215, only one set of copies of Volume I is being provided, to eliminate unnecessary duplication.

The Administrative Record specifically consists of the following:

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Public (redacted) Copy

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  4. Operating Permit Application No. 73030804 for the operation of emission source(s) and/or air pollution control equipment consisting of fuel handling system, flyash handling system, auxiliary boilers 6-1 and 6-2, and flyash storage silos and unloading silos at Commonwealth Edison's Crawford Station (general). 7-8  
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Dated: Chicago, Illinois  
July 13, 2004

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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

Midwest Generation EME, LLC, )  
Petitioner ) PCB 04-216  
 ) Trade Secret Appeal  
v. )  
 )  
Illinois Environmental Protection Agency, )  
Respondent )

**CERTIFICATE OF SERVICE**

I hereby certify that I did on the 13<sup>th</sup> Day of July 2004 send by First Class Mail, with postage thereon fully paid and deposited into the possession of the United States Postal Service, one (1) original and four (4) copies of the following instruments entitled Administrative Record of Trade Secret Determination, to

To: Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
100 West Randolph  
Suite 11-500  
Chicago, Illinois 60601

and a true and correct copy of the same foregoing instruments, by First Class Mail with postage thereon fully paid and deposited into the possession of the United States Postal Service, to:

Sheldon A. Zabel  
Mary A. Mullin  
Andrew N. Sawula  
Schiff Hardin LLP  
6600 Sears Tower  
Chicago, Illinois 60606

Keith Harley  
Annie Pike  
Chicago Legal Clinic, Inc.  
205 West Monroe, 4<sup>th</sup> Floor  
Chicago, Illinois 60606  
(Redacted record only)

Dated: Chicago, Illinois  
July 13, 2004

LISA MADIGAN, Attorney General of the  
State of Illinois

MATTHEW DUNN, Chief, Environmental Enforcement/  
Asbestos Litigation Division

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