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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**JUL 13 2004**

**Commonwealth Edison Company,**  
**Petitioner**

**v.**

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

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**PCB 04-215**  
**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, Commonwealth Edison Company, and the attorneys for the Sierra Club (redacted record only).

Dated: Chicago, Illinois  
July 13, 2004

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JUL 13 2004

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

**PCB 04-215**  
**Trade Secret Appeal**

Y.

**Illinois Environmental Protection Agency,  
Respondent**

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 Midwest Generation'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. 04-216, only one set of copies of Volume I is being provided, to eliminate unnecessary duplication.

The Administrative Record specifically consists of the following:

Volume I  
Public (redacted) Copy

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98. Construction Permit Application No. 00070031 for the construction of emission source(s) and/or air pollution control equipment consisting of installation of over fire air system For Boiler Unit 6, at Waukegan electrical generating station for Midwest Generations Waukegan Station Unit 6.  
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| 114. | Operating Permit Renewal Application No. 73030814 for the operation of Commonwealth Edison's Fisk Station.<br>(Issued: May 1, 1991)  | 259-260  |
| 115. | Revised Operating Permit Application No. 73030814 for the operation of emission source(s) and/or air pollution control equipment consisting of fuel handling system, flyash handling system, and auxiliary gas fired boilers 18-1 and 18-2, unit 18 and unit 19 coal bunkers for Commonwealth Edison's Fisk Station (general).<br>(Issued: April 22, 1993; Expiration: October 31, 1993) | 261-262  |
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| 117. | Revised Operating Permit Application No. 73030814 for the operation of emission source(s) and/or air pollution control equipment consisting of fuel handling system, flyash handling system, and auxiliary gas fired boilers 18-1 and 18-2, unit 18 and unit 19 coal bunkers for Commonwealth Edison's Fisk Station (general).<br>(Issued: April 6, 1994; Expiration: July 15, 1998)     | 265-266  |
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| 124.  | Revised Operating Permit Application No. 73030816 for the operation of emission source(s) and/or air pollution control equipment consisting of Unit 19 boiler with electrostatic precipitator and flue gas conditioning system for Commonwealth Edison's Fisk Unit 19 Station. (Issued: August 2, 1982; Expiration: August 17, 1983)  | 275-277 |
| 125.  | Operating Permit Application No. 73030816 for the operation of emission source(s) and/or air pollution control equipment consisting of Unit 19 boiler with electrostatic precipitator and flue gas conditioning system, a turbine oil reservoir LR-19, a turbine oil storage tank LS-2, and a coal bunker controlled by a rotoclone for Commonwealth Edison's Fisk Unit 19 Station. (Issued: January 31, 1983; Expiration: August 31, 1983) | 278-279 |
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| 126.  | Operating Permit Application No. 73030816 for the operation of emission source(s) and/or air pollution control equipment consisting of Unit 19 boiler with electrostatic precipitator and flue gas conditioning system, a turbine oil reservoir LR-19, a turbine oil storage tank LS-2, and a coal bunker controlled by a rotoclone for Commonwealth Edison's Fisk Unit 19 Station. (Issued: June 2, 1983; Expiration: August 17, 1984)     | 280-281 |
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(Issued: June 15, 1984; Expiration: February 17, 1985)

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| 128. | Letter dated, November 8, 1984 from Daniel J. Goodwin, Manager, Illinois EPA, Division of Air Pollution Control to C.L. McDonough, Director, of Commonwealth Edison Company and attached relevant portions of Fisk Unit 19 Operating Permit Application No. 73030816.   | 284-286 |
| 129. | Operating Permit Application No. 73030816 for the operation of emission source(s) and/or air pollution control equipment consisting of Unit 19 boiler with electrostatic precipitator and flue gas conditioning system, a turbine oil reservoir LR-19, a turbine oil storage tank for Commonwealth Edison's Fisk Unit 19 Station.<br>(Issued: March 11, 1985; Expiration: May 31, 1985) | 287-288 |
| 130. | Operating Permit Application No. 73030816 for the operation of emission source(s) and/or air pollution control equipment consisting of Unit 19 boiler with electrostatic precipitator, a turbine oil reservoir, and a turbine oil storage tank for Commonwealth Edison's Fisk Unit 19 Station.<br>(Issued: June 3, 1985; Expiration: January 15, 1986)                                  | 289-291 |
| 131. | Operating Permit Application No. 73030816 for the operation of emission source(s) and/or air pollution control equipment consisting of Unit 19 boiler with electrostatic precipitator, a turbine oil reservoir, and a turbine oil storage tank for Commonwealth Edison's Fisk Unit 19 Station.<br>(Issued: December 5, 1985; Expiration: January 31, 1987)                              | 292-294 |
| 132. | Operating Permit Application No. 73030816 for the operation of emission source(s) and/or air pollution control equipment consisting of Unit 19 boiler with electrostatic precipitator for Commonwealth Edison's Fisk Unit 19 Station.<br>(Issued: December 29, 1986; Expiration: January 31, 1989)  | 295-297 |
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| 143. | Operating Permit Renewal Application No. 73030819 for the operation of Commonwealth Edison's Fisk Ash Handling Station. (Issued: February 26, 1975; Expiration: February 20, 1977)  | 323     |
| 144. | Operating Permit Application No. 0608033 for the operation of Commonwealth Edison's Powerton Station (Issued: October 20, 1978; Expiration July 1, 1979).   | 325     |
| 145. | Operating Permit Application No. 76080033 for the operation of Commonwealth Edison's Powerton Station. (Issued: September 16, 1980; Expiration: September 5, 1981).   | 326-327 |
| 146. | Operating Permit Application No. 76080033 for the operation of emission source(s) and/or pollution control equipment consisting of Boilers 51, 52, 61, 62 and associated electrostatic precipitators at Commonwealth Edison's Powerton Station. (Issued: September 4, 1981; Expiration: December 5, 1982).  | 328-329 |
| 147. | Operating Permit Application No. 76080033 for the emission source(s) and/or air pollution control equipment consisting of Boilers 51 and 52 with associated electrostatic precipitators and flue gas conditioning system, and Boilers 61 and 62 with associated electrostatic precipitators at Commonwealth Edison's Powerton Station. (Issued: February 24, 1982; Expiration: May 23, 1983). | 330-332 |
| 148. | Operating Permit Application No. 76080033 for the emission source(s) and/or air pollution control equipment consisting of Boilers 51 and 52 with associated electrostatic precipitators at Commonwealth Powerton Station. (Issued: November 5, 1987; Expiration: February 15, 1988).  | 333-335 |
| 149. | Operating Permit Application No. 76080033 for the emission source(s) and/or air pollution control equipment consisting of Boilers 51 and 52 with associated electrostatic precipitators at Commonwealth Powerton Station. (Issued: June 11, 1987; Expiration: July 31, 1988).   | 336-339 |
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| 151. | Operating Permit Application No. 73030820 for the operation of emission source(s) and/or air pollution control equipment consisting of fuel handling facilities with bag filters A-K at Commonwealth Edison's Powerton Station (Issued: October 22, 1982; Expiration: May 30, 1983).   | 341     |
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| 153. | Operating Permit Application No. 73030820 for the operation of emission source(s) and/or air pollution control equipment consisting of fuel handling system, ash handling system, Units 5 and 6 auxiliary boilers, D.E. & lime silo bag filters, and an ignition storage tank at Commonwealth Edison's Powerton Station (Issued August 23, 1983, Expires December 31, 1985).                               | 344-345 |
| 154. | Operating Permit Application No. 73030820 for the operation of emission source(s) and/or air pollution control equipment consisting of fuel handling system, ash handling system, Units 5 and 6 auxiliary boilers, D.E. & lime silo bag filters, and an ignition storage tank at Commonwealth Edison's Powerton Station (Issued: December 3, 1985; Expiration: December 31, 1987).                         | 346-347 |
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| 162. | Revised Operating Permit Application No. 73030820 for the operation of emission source(s) and/or air pollution control equipment consisting of fuel handling system, ash handling system, Units 5 and 6 auxiliary boilers, D.E. & lime silo bag filters, and an ignition storage tank and 2 air heaters, a gasoline dispensing unit and a fuel oil storage tank at Commonwealth Edison's Powerton Station<br>(Issued: April 12, 1994; Expiration: July 31, 1996).  | 357     |
| 163. | Revised Operating Permit Application No. 73030820 for the operation of emission source(s) and/or air pollution control equipment consisting of fuel handling system, ash handling system, Units 5 and 6 auxiliary boilers, D.E. & lime silo bag filters, and an ignition storage tank and 2 air heaters, a gasoline dispensing unit and a fuel oil storage tank at Commonwealth Edison's Powerton Station<br>(Issued: August 11, 1994; Expiration: July 31, 1996). | 358-359 |
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| 171. | Operating Permit Number 73030969 for operation of emission source(s) and/or air pollution control equipment consisting of Will County Fuel Handling System (Issued: June 21, 1982; Expiration: December 31, 1982).        | 370     |
| 172. | Revised Operating Permit Number 73030969 for operation of emission source(s) and/or air pollution control equipment consisting of Will County Fuel Handling System (Issued: July 1, 1982; Expiration: December 31, 1982). | 371     |
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| 186. | Operating Permit Number 73030970 for operation of emission source(s) and/or air pollution control equipment consisting of Will County Unit 1 (Issued: June 3, 1981; Expiration: May 30, 1982).   | 400-402 |
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| 188. | Operating Permit Number 73030970 for operation of emission source(s) and/or air pollution control equipment consisting of Will County Unit 1 (Issued: June 28, 1983; Expiration: December 31, 1984).                                   | 405-407 |
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| 191. | Operating Permit Number 73030970 for operation of emission source(s) and/or air pollution control equipment consisting of Will County Unit 1 (Issued: June 3, 1985; Expiration: August 31, 1987).                                      | 412-414 |
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| 210. | Revised Operating Permit Number 73030971 for operation of emission source(s) and/or air pollution control equipment consisting of Will County Unit 2 (Issued: May 24, 1993; Expiration: October 1, 1995). | 471-474 |

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238. Letter, dated September 19, 1978, from M. Paul Schmierbach, P.E., Permit Section Manager for Illinois EPA, Division of Air Pollution Control, and William L. Miller, P.E., Permit Section Analysis Supervisor for Illinois EPA, Division of Air Pollution Control, to J. P. McCluskey, Commonwealth Edison Company, regarding notice of incompleteness of Operating Permit Application Number 03030973 received August 21, 1978. 564- 565
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| 247. | Letter, dated August 10, 1983, from Daniel J. Goodwin, Manager for Illinois EPA, Division of Air Pollution Control, to A. O. Courtney, Director of Air Quality for Commonwealth Edison Company, regarding relief from six-month stack-testing requirement, and attached Operating Permit Number 73030973 for operation of emission source(s) and/or air pollution control equipment consisting of Will County Unit 4, Issue Date August 10, 1983, Expiration Date December 31, 1984. | 585-587 |
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Dated: Chicago, Illinois  
July 13, 2004

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312-814-3772  
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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

**Commonwealth Edison Company,**  
**Petitioner**

**v.**

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

)  
) **PCB 04-215**  
) **Trade Secret Appeal**  
)  
)  
)

**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:

Byron F. Taylor  
Chante D. Spann  
Sidley Austin Brown & Wood LLP  
Bank One Plaza  
10 S. Dearborn  
Chicago, Illinois 60603

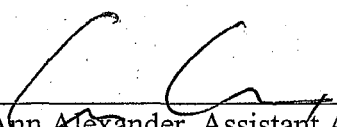
Keith Harley  
Annie Pike  
Chicago Legal Clinic, Inc.  
205 West Monroe, 4<sup>th</sup> Floor  
Chicago, Illinois 60606  
(Redacted record only)

Dated: Chicago, Illinois  
July 13, 2004

LISA MADIGAN, Attorney General of the  
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MATTHEW DUNN, Chief, Environmental Enforcement/  
Asbestos Litigation Division

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