

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
PROPOSED NEW 35 ILL. ADM. CODE 225)
CONTROL OF EMISSIONS FROM)
LARGE COMBUSTION SOURCES)
)
)

R06-25
(Rulemaking – Air)

NOTICE OF FILING

TO: Those Individuals as Listed on attached Certificate of Service

Please take notice that on September 25, 2006, the undersigned caused to be filed with the Clerk of the Illinois Pollution Control Board the attached Ameren's Supplemental Post-Hearing Comments and Motion for Leave to File Instanter Supplemental Post-Hearing Comments copies of which is herewith served upon you.

Dated this 25th day of September, 2006.

Respectfully submitted,

AMEREN ENERGY GENERATING COMPANY
AMERENENERGY RESOURCES GENERATING
COMPANY ELECTRIC ENERGY, INC.

By: 

One of its Attorneys

James T. Harrington
David L. Rieser
Jeremy R. Hojnicky
Attorneys for Petitioners
McGuireWoods LLP
77 West Wacker, Suite 4100
Chicago, Illinois 60601
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MOTION FOR LEAVE TO FILE INSTANTER SUPPLEMENTAL
POST-HEARING COMMENTS

NOW COME Ameren Energy Generating Company, AmerenEnergy Resource Generating Company, and Electric Energy, Inc. (collectively "Ameren"), by their attorneys, McGuireWoods LLP, and pursuant to 35 Ill. Adm. Code 101.500, moves that the Illinois Pollution Control Board grant Ameren leave to file its Supplemental Post-Hearing Comments with respect to the proposed 35 Ill. Adm. Code Part 225, Illinois mercury rules. In support of its Motion, Ameren states as follows:

1. On September 20, 2006, Ameren filed its Post-Hearing Comments with the Board on the Illinois Environmental Protection Agency's ("Agency") proposed mercury rule as amended by the MPS provisions.

2. On September 20, 2006, the Agency filed its Post-Hearing Comments with the Board on the proposed mercury rule as amended by the MPS provisions.

3. The Agency's Post-Hearing Comments recommended several minor changes concerning the language of the MPS.

4. During the August hearings in Chicago, a representative of Ameren, Mr. Michael L. Menne, testified that Ameren intends on taking advantage of the MPS provisions to comply with the proposed mercury rule.

5. Prior to the September 20, 2006 deadline for filing post-hearing comments with the Board, Ameren had not reviewed the Agency's proposed changes to the MPS as set forth in the Agency's Post Hearing Comments.

6. Ameren has since reviewed the Agency's proposed changes to the MPS and has no objection with these revisions.

7. In order to provide the Board with a complete record on how the Agency's recommended changes to the MPS will impact existing sources, Ameren submits the attached Supplemental Post-Hearing Comments to the Board for its review and consideration.

WHEREFORE, for the reasons set forth above, Ameren respectfully moves that the Board grant leave to file instanter Ameren's Supplemental Post-Hearing Comments.

Respectfully submitted,

AMEREN ENERGY GENERATING COMPANY
AMERENENERGY RESOURCES GENERATING
COMPANY ELECTRIC ENERGY, INC.

By: 

One of its Attorneys

Date: September 25, 2006

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AMEREN'S SUPPLEMENTAL POST-HEARING COMMENTS

NOW COME Ameren Energy Generating Company, AmerenEnergy Resource Generating Company, and Electric Energy, Inc. (collectively "Ameren"), by their attorneys, McGuireWoods LLP, and submits these Supplemental Post Hearing Comments in support of the proposed 35 Ill. Adm. Code Part 225, Control of Emissions from Large Combustion Sources as amended by the Multi-Pollutant Standard ("MPS) provisions.

In the Illinois Environmental Protection Agency's ("Agency") Post-Hearing Comments to the Board filed on September 20, 2006, the Agency recommended several minor changes to the MPS provisions of the proposed Illinois mercury rule. The revisions to the MPS are as follows:

- 1) Deletion of the reference of "Electric Energy, Inc., ID 127855AAC" in Sections 225.232(d)(2)(A) and 225.234(b)(3)(B) in the MPS.
- 2) The inclusion of the word "banking" in the first line of Section 225.233(f)(3) of the MPS. This subsection would now read, "The provisions of this subsection do not restrict or inhibit the banking, sale or trading..."
- 3) The Agency recommends replacing Section 225.233(f)(5) of the MPS with new the language provided in the Agency's Post-Hearing Comments to insure

that affected sources have an appropriate amount of time to account for U.S.

EPA's actions regarding the surrender of allowances.

Ameren has reviewed the Agency's proposed changes to the MPS language and has no objection to these revisions. Therefore, Ameren respectfully requests that the Board adopt the Agency's proposed mercury rule with the amended MPS language.

WHEREFORE, for the reasons stated in Ameren's Post-Hearing Comments and herein, Ameren respectfully requests the Board to adopt the Agency's proposed mercury rule as amended.

AMEREN ENERGY GENERATING
COMPANY, AMERENENERGY RESOURCE
GENERATING COMPANY, and ELECTRIC
ENERGY, INC

By 

One of its Attorneys


Date: September 25, 2006

James T. Harrington
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Jeremy R. Hojnicky
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Chicago, Illinois 60601

CERTIFICATE OF SERVICE

The undersigned, one of the attorneys for Petitioners, hereby certifies that I served a copy of the attached documents, Ameren's Supplemental Post-Hearing Comments and Motion for Leave to File Instant Supplemental Post-Hearing Comments, upon those listed below on September 26, 2006 via First Class United States Mail, postage prepaid.

To: John J. Kim, Managing Attorney Charles E. Matoesian, Assistant Counsel Gina Roccaforte, Assistant Counsel Illinois Environmental Protection Agency Division of Legal Counsel 1021 North Grand Avenue East Post Office Box 19276 Springfield, IL 62794-9276	Ms. Dorothy Gunn, Clerk Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Street Suite 11-500 Chicago, IL 60601
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