

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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STATE OF ILLINOIS
Pollution Control Board

DYNEGY MIDWEST GENERATION, INC.)
(VERMILLION POWER STATION),)

Petitioner,)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Respondent.)

PCB 2006-194
(Permit Appeal)

NOTICE


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

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph Street
Chicago, Illinois 60601

Sheldon A. Zabel
Kathleen C. Bassi
Stephen J. Bonebrake
Kavita M. Patel
Schiff Hardin, LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the **ADMINISTRATIVE RECORD** of the Respondent, Illinois Environmental Protection Agency, a copy of which is herewith served upon the assigned Hearing Office and the attorney for the Petitioner.

Respectfully submitted by,



Sally Carter
Assistant Counsel

Dated: November 1, 2006
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
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ADMINISTRATIVE RECORD

The Respondent, Illinois Environmental Protection Agency ("Illinois EPA"), by and through its attorneys in accordance with the Illinois Pollution Control Board's ("Board") Order of October 19, 2006, files its Administrative Record ("Administrative Record") in this cause.

Acting in accordance with its authority under the provisions of the Illinois Environmental Protection Act (hereinafter "Act"), 415 ILCS 5/39(a) (2004), the Illinois EPA issued a construction permit to Dynegy Midwest Generation, Inc. ("Dynegy") on May 30, 2006. The permit authorized the construction of a baghouse on two coal-fired boilers at the Vermillion Power Station located at 2150 North County Road in Oakwood, Illinois. On or about October 3, 2006, Petitioner filed a petition before the Board challenging certain permit conditions contained within the construction permit issued by the Illinois EPA.

In accordance with the Board's October 19, 2006, Order, an original and four copies of the Administrative Record are filed with the Board. The Administrative Record consists of, among other things, Dynegy's permit application materials, correspondence

between the Illinois EPA and Dynegy, miscellaneous documents relating to *United States of America, et al. v. Illinois Power Company and Dynegy Midwest Generation, Inc.* *United States District Court, Southern District of Illinois, Civil Action 99-883 MJR*, internal agency memorandums, and miscellaneous general reference materials. These documents are listed below:

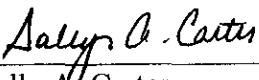
Contents of the Administrative Record

1. Construction Permit and attached Calculation Sheet, dated May 30, 2006. **[Pages 1-24]**.
2. Preliminary Draft, dated May 14, 2006, including a review of Dynegy's comments. **[Pages 25-38]**.
3. Dynegy's Comments on Preliminary Draft, dated May 14, 2006. **[Pages 39-52]**.
4. Preliminary Draft, dated May 14, 2006. **[Pages 53-65]**.
5. Letter from Michelle Chestnut, Environmental Specialist, Dynegy, signed by Rick Diericx to Donald Sutton, Manager Permit Section, Illinois EPA, dated April 28, 2006, and attachments. **[Pages 66-89]**.
6. Completeness Review Worksheet for Construction Permit Fees, dated April 25, 2006. **[Page 90]**.
7. March 28, 2006, Request for Additional Information. **[Pages 91-100]**.
8. Construction Permit Application from Michelle M. Bubniak, Environmental Specialist to Donald Sutton, dated February 27, 2006, and attachments. **[Pages 101-141]**.
9. Reference Permit involving Midwest Generation EME, LLC – Crawford Generating Station, Pilot Evaluation for Mercury Control, dated February 2, 2006. **[Pages 142-144]**.
10. Provision of Issued CAAPP Permit for Boilers 1 & 2. **[Pages 145-174]**.
11. *United States of America, et al. v. Illinois Power Company and Dynegy Midwest Generation, Inc. United States District Court, Southern District of Illinois, Civil Action 99-883 MJR, Consent Decree.* **[Pages 175-271]**.

12. Attachment 1: Schedule of Unit-Specific Performance, Operational, Maintenance, and Control Technology Requirements from the Consent Decree that Apply to the Vermillion Station (Schedule). **[Pages 272-280]**.
13. *United States of America, et al. v. Illinois Power Company and Dynegy Midwest Generation, Inc. United States District Court, Southern District of Illinois, Civil Action 99-883 MJR, United States' Notice of Lodging of Proposed Consent Decree Modifications.* **[Pages 281-293]**.
14. Letter from Gary Hickey, Vice President, Health & Safety, Dynegy to federal and state representatives, dated January 6, 2006, and attachment. **[Pages 294-297]**.
15. Letter from Gary Hickey to federal and state representatives, dated October 4, 2005, and attachment. **[Pages 298-303]**.
16. Electronic Code of Federal Regulations, 40 CFR §§ 64.4-64.5. **[Pages 304-308]**.
17. 35 Ill. Adm. Code 283. **[Pages 309-314]**.
18. Miscellaneous electronic mail. **[Pages 315 -459]**.

Respectfully submitted by,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,



Sally A. Carter
Assistant Counsel

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217)782-5544

CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of November 2006, I did send, via Federal Express, the following instrument entitled **ADMINISTRATIVE RECORD** to:

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

I further hereby certify that on the 1st day of November 2006, I did send, a true and correct copy of the same foregoing instrument, by First Class Mail with postage thereon fully paid and deposited into the possession of the United States Postal Service, to:

Bradley P. Halloran
Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph Street
Chicago, Illinois 60601

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