

ILLINOIS POLLUTION CONTROL BOARD  
February 15, 2007

IN THE MATTER OF: )  
)  
PETITION OF MIDWEST GENERATION, ) AS 07-3  
L.L.C., WAUKEGAN GENERATING ) (Adjusted Standard – Air)  
STATION FOR AN ADJUSTED )  
STANDARD FROM 35 Ill. Adm. Code )  
225.230 )

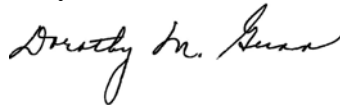
ORDER OF THE BOARD (by G.T. Girard):

On January 10, 2007, Midwest Generation L.L.C. (Midwest Generation) filed a request (Pet.) for an adjusted standard pursuant to Section 28.1 of the Environmental Protection Act (Act) (415 ILCS 5/28.1 (2004)). Midwest Generation seeks relief from the rules limiting emission of mercury from coal-fired electrical generating units adopted by the Board on December 21, 2006, in Proposed New 35 Ill. Adm. Code 225 Control of Emissions from Large Combustion Sources (Mercury), R06-25. Specifically Midwest Generation is seeking relief from 35 Ill. Adm. Code 225.230 for the Waukegan Generating Station. Midwest Generation has requested a hearing to satisfy the Federal State Implementation Plan (SIP) requirements.

Section 28.1 of the Act (415 ILCS 5/28.1 (2004)) and 35 Ill. Adm. Code 104.408 require publication of a notice of an adjusted standard proceeding in a newspaper of general circulation in the area affected by the petitioner's activity. The notice must be published within 14 days of filing a petition for an adjusted standard with the Board. *See* 35 Ill. Adm. Code 104.408(a). As required by 35 Ill. Adm. Code 104.410, the petitioner timely filed a certificate of publication with the Board on January 25, 2007. The notice of petition was published in the *News-Sun* on January 19, 2007. The Board finds that the notice and petition meet the requirements of Section 28.1 of the Act (415 ILCS 5/28.1 (2004)) and 35 Ill. Adm. Code 104.408 and accepts this matter for hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 15, 2007, by a vote of 4-0.



Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board