



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 – (217) 782-3397  
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 – (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

July 24, 2008

Fred W. McCluskey  
Vice President  
Technical Services  
Midwest Generation LLC  
One Financial Place  
440 S. LaSalle St.  
Suite 3500  
Chicago, Illinois 60605

Certified Mail  
Return Receipt Requested  
7004 2510 0001 8618 8777

IEPA 09-1

IEPA 08-GR-01

Re: Midwest Generation LLC, Crawford Power Station, Unit 8  
Grant of Provisional Variance Request

Dear Mr. McCluskey:

On July 24, 2008, the Illinois Environmental Protection Agency (“Illinois EPA”) received from Midwest Generation, LLC (“Midwest Generation”), Crawford Power Station, a request for a 30-day provisional variance for Unit 8 from the requirement under 35 Ill. Adm. Code 225.615 to inject sorbent at any particular rate, including at the minimum rate of 5.0 lbs per million actual cubic feet of flue gas flow specified by Section 225.615(g)(3)(A). The request was accepted for review pursuant to the requirements of the Illinois Environmental Protection Act (“Act”) and applicable regulations.

The Illinois EPA has evaluated the request in accordance with the requirements of Sections 35, 36, and 37 of the Act and the Illinois EPA’s regulations set forth at 35 Ill. Adm. Code Part 180. The Illinois EPA is granting Midwest Generation’s request for provisional variance, subject to the conditions delineated below, due to the short-term nature of the relief and because the request and supporting documentation have demonstrated that an arbitrary and unreasonable hardship would result in the event of a denial.

The Illinois EPA is granting Midwest Generation relief from the aforementioned regulatory requirement under Section 225.615 for a 30-day period, as requested by Midwest Generation. Specifically, this relief is granted until August 23, 2008, at which time this grant and its terms expire. This action affording relief is based, in principal part, upon Midwest Generation’s representation that no significant adverse environmental effect is expected as a result of the requested relief. The requested relief shall extend to Midwest Generation’s Crawford Power Station, Unit 8, subject to the following conditions:

1. Midwest Generation shall submit to the Illinois EPA a report containing all data collected throughout the term of this provisional variance regarding the identity of each sorbent that is injected, the associated sorbent injection rate(s) with dates and hours, the corresponding instantaneous and 6-minute average opacity measurements, and load.
2. Midwest Generation shall submit to the Illinois EPA a report detailing the relationship between the sorbent injection rates and opacity measurements during the term of this provisional variance and any related conclusions of Midwest Generation or its representatives.
3. Midwest Generation shall submit to the Illinois EPA a discussion of how Crawford Power Station Unit 8 achieved compliance within the term of the provisional variance and how it will ensure compliance prospectively.
4. Reports and information required under paragraphs 1, 2, and 3 above shall be submitted within 15 days after the term of the provisional variance to:

David Bloomberg, Manager  
Bureau of Air Compliance Unit  
Illinois Environmental Protection Agency  
1021 N. Grand Ave. East  
P.O. Box 19276  
Springfield, IL 62794-9276

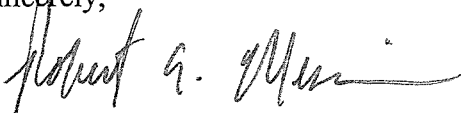
The Illinois EPA requests that Midwest Generation, following receipt of this provisional variance, submit a certification to the Illinois EPA signifying its acceptance of the terms and conditions expressed herein. The certification should be mailed to the Illinois EPA within 3 days of the date of this provisional variance and should be signed by the owner or operator, as follows:

Certification

I (We), \_\_\_\_\_, have read the terms and conditions of the Illinois EPA's provisional variance, dated July 24, 2008, and, I (we) hereby accept and agree to abide by the terms and conditions expressed therein.

The certification should be mailed, by certified mail, to the undersigned.

Sincerely,



Robert A. Messina  
Chief Legal Counsel



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ROD R. BLAGOJEVICH, GOVERNOR    DOUGLAS P. SCOTT, DIRECTOR

July 24, 2008

**RECEIVED**  
CLERK'S OFFICE

JUL 28 2008

STATE OF ILLINOIS  
Pollution Control Board

John Therriault  
Assistant Clerk  
Illinois Pollution Control Board  
100 West Randolph St., Suite 11-500  
Chicago, IL 60601

Re: Notice of Grant of Provisional Variance  
Midwest Generation LLC, Crawford Power Station, Unit 8

Dear Mr. Therriault:

Attached please find a copy of a provisional variance that the Illinois Environmental Protection Agency ("Illinois EPA") granted to Midwest Generation LLC, Crawford Power Station, in Cook County. As you may know, the Illinois Environmental Protection Act requires the Illinois EPA to promptly file a copy of its provisional variance decisions with the Illinois Pollution Control Board. *See*, 415 ILCS 5/37(b). This letter and attachment should adequately fulfill the Illinois EPA's statutory obligation.

Thank you for your attention to this matter.

Sincerely,

Robert A. Messina  
Chief Legal Counsel