

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MIDWEST GENERATION ,LLC)	
WAUKEGAN GENERATING STATION,)	
Petitioner,)	
)	
v.)	PCB 12-121
)	(Variance – Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
Respondent.)	
)	

NOTICE

TO:

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

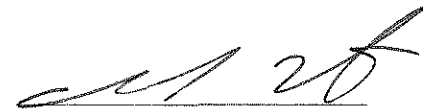
Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
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Please find attached the CERTIFICATE OF PUBLICATION OF NOTICE OF PETITION FOR VARIANCE and APPEARANCE of the Illinois Environmental Protection Agency that was electronically filed with the Illinois Pollution Control Board today. If you have any questions, please feel free to contact me.

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

By:



Charles E. Matoesian

Assistant Counsel

Division of Legal Counsel

DATED: May 9, 2012

P.O. Box 19276

Springfield, Illinois 62794-9276

217/782-5544


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CERTIFICATION OF PUBLICATION OF NOTICE OF THE PETITION FOR VARIANCE

NOW COMES Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by its attorney, Charles E. Matoesian, and pursuant to Section 104.214(f) of the Illinois Pollution Control Board ("Board") rules, certifies to the Board that notice of the Petition for Variance was placed in the *Waukegan News Sun* on April 24, 2012. A copy of this notice is included as attachment "A."

Respectfully submitted,
ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 
Charles E. Matoesian
Assistant Counsel
Division of Legal Counsel

DATED: May 9, 2012

P.O. Box 19276
Springfield, Illinois 62794-9276
217/7782-5544

Electronic Filing - Received, Clerk's Office, 05/09/12

Illinois mulling introduction of state-park admission fees

BY SHANNON MCFARLAND

The Associated Press

With the state deeply in debt, lawmakers in Springfield are mulling a proposal to charge admission fees for the first time to the state's hundreds of recreational properties. The money, proponents say, would be used to close a \$750 million backlog in park maintenance and repairs due to years of shrinking budgets.

Aefine Geo-Karis Illinois Beach State Park was closed after storms tore down hundreds of trees last July, and a lack of funding kept them from being reopened, officials said. It took nine months to clear out the damaged and dangerous branches and trees.

If the legislature approves it, a bill sponsored by Rep. JoAnn Osmond, R-Antioch, would allow state officials to charge visitors an annual or daily fee to enter state parks. An annual admission fee would be no more than \$25 and a daily pass around \$5 to \$8.

The House approved Osmond's measure by 81-29 in March, and it is now moving through the Senate. The origi-



Illinois lawmakers are considering allowing state officials to charge visitors an annual or daily fee to enter state parks such as Illinois Beach State Park in Zion. | FILE PHOTO

nal bill would charge fees to anyone who entered the parks, but Osmond said the Senate may amend the bill to affect only car visitors.

Illinois is among only seven states that do not charge state-park admissions. The others are Hawaii, Iowa, Missouri, Ohio, Pennsylvania and Tennessee.

The permits would not apply to people merely driving through the park, attending an event like a wedding or customers at restaurants and lodges on park property, Osmond said.

"Twenty-five dollars a year is

not a huge amount of money," Osmond said. "Most people understand we have to maintain (the parks) or they are just not safe."

Marc Miller, director of the state Department of Natural Resources, said the idea of charging admission fees isn't merely to keep the park's buildings looking nice. It's about the health and safety of the parks and visitors. He said the biggest costs looming over the parks are roads, roofs of buildings like bathrooms or picnic pavilions, and sewage treatment to keep lakes and rivers clean.

An estimated 45 million people per year visit Illinois' 324 state-owned natural properties, including state parks, officials say. DNR officials would decide which properties would require admissions, meaning they could adopt a different policy for those hiking the cliffs at popular Starved Rock State Park than for others who just want to use the picnic tables at Channahon State Park.

State funding for the parks had been cut from \$23 million in 2006 to \$9 million in this year's budget. About a dozen parks were closed because of budget cuts under former Gov. Rod Blagojevich.

Officials estimate the proposed entrance fees would bring in \$7-8 million. The permits would give the parks dedicated funds, like hunting and fishing fees do for wildlife areas.

Miller says the department wouldn't install gates or toll booths. The measure would allow the department to set prices for permits that could be displayed in car windows, similar to fishing and hunting licenses. Park personnel would monitor the permits and assess fines for those who don't have them.

ANTIOCH

Village turns projected 2012 budget deficit into surplus

BY DIANA KUYPER

Special to the News-Sun

ANTIOCH — The budget picture this year isn't nearly as grim as last year when village officials were hard-pressed to reduce a projected \$1.1 million deficit. Instead, the village will finish up fiscal year 2012 with a surplus of \$85,000, thanks in part to unexpected sales tax revenue.

"We are in a similar position as last year as we prepare the 2013 budget," said Village Administrator James Keim. "Our

situation has only improved because of the hard choices and cuts we have made over the past few years."

He predicts a \$43,100 shortfall in the fiscal year 2013 budget that projects \$9.8 million in expenditures. "But we started 2012 with a projected shortfall of 10 times that amount. We just have to stay the course on our fiscal fitness program."

Since 2008 village staff has been reduced from more than 100 to 78 full-time employees, helping to reduce expenditures from a high of \$11 million to less

than \$10 million annually. "If we had maintained the level of staffing of four years ago, we would be looking at a \$2 to \$3 million deficit next year," Keim said.

A utility tax implemented in January 2010 has so far generated about \$2.7 million, with portions of it allocated annually toward building a reserve fund, deficit reduction and capital improvements.

Meanwhile the village is still dealing with a projected \$300,000 deficit in the sewer and water fund. A rate increase implemented last year is at least

generating enough extra revenue to cover annual payments on the low-interest IEPA loan used to build the new wastewater treatment plant.

Although Keim expects 2 to 3 percent increases next year in property tax, sales tax and income tax revenues, the village continues to operate on a "shoestring budget."

"We are struggling to maintain 65 miles of streets and 44 village buildings, including everything from sheds and well houses to village hall and public works facilities," Keim said.

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Pollution Variance

Midwest Generation, LLC ("Midwest Generation") with sources located in Lake County, Cook County, Will County, Tazewell County, Bureau County (wind farm) and Lee County (wind farm), has filed with the Illinois Pollution Control Board ("Board") a petition for variance under Title IX of the Environmental Protection Act ("Act") [415 ILCS 5/Sec. 35-38]. The Board has the authority pursuant to Section 35 of the Act [415 ILCS 5/35] and 35 Ill. Adm. Code 104 to grant a variance. Midwest Generation requests a variance from two compliance dates of the Combined Pollutant Standard codified at 35 Ill. Adm. Code §§ 225.291-225.299 and 225 Appendix A as applied to Waukegan Unit 7 (located at 401 East Greenwood Avenue, Waukegan, Lake County) for the installation of flue gas desulfurization equipment (Section 225.296(a)(1)) and the conversion of the hot-side precipitator on that unit (Section 225.296(c)(1)). Midwest Generation seeks relief from the provisions of 35 Ill. Adm. Code §§ 225.296(a)(1) and (c)(1) for the 12-month period beginning December 31, 2013, and ending December 31, 2014. A copy of this variance may be obtained through the Clerk's Office at the Board. The Board's office address is Pollution Control Board, James R. Thompson Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601 (telephone: 312/814-3620).

The Illinois Environmental Protection Agency ("Illinois EPA") solicits the views of persons who may be affected by the variance. Address any comments or inquiries to: Charles E. Matoesian, Assistant Attorney, Air Regulatory Unit, Division of Legal Counsel, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Post Office Box 19276, Springfield, Illinois 62794-9276, telephone: 217/782-5544.

The Illinois EPA is preparing a recommendation, and, unless otherwise ordered by the hearing officer or Board, plans to file the recommendation by May 25, 2012. The record will remain open for written comments for 45 days after the filing of the recommendation and should be submitted to the Board at the address specified above. The record is available at the Board office for inspection, except those portions that are protected from disclosure under 35 Ill. Adm. Code 130. Procedures are available whereby disclosure may be sought by the public.

A hearing may be held after the filing of the recommendation. Anyone may request a hearing. However, if a written objection to the variance and a request for hearing are received by the Board office, no later than twenty-one (21) days from the publication of this Notice, the Board must conduct a hearing on the petition.

A-1 091603 P.6: 4/24/2012

IEPA ATTACHMENT NO. A

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APPEARANCE

The undersigned, as one of its attorneys, hereby enters an Appearance on behalf of the Illinois Environmental Protection Agency.

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

By: 

Charles E. Matoesian
Assistant Counsel
Division of Legal Counsel

DATED: May 9, 2012
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544

STATE OF ILLINOIS)
)
) SS
COUNTY OF SANGAMON)

PROOF OF SERVICE

I, the undersigned, an attorney, state that I have served electronically the attached the CERTIFICATE OF PUBLICATION OF NOTICE OF PETITION FOR VARIANCE and APPEARANCE of the Illinois Environmental Protection Agency upon the following persons:

TO:

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

Bradley Halloran, Hearing Officer
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Kathleen C. Bassi
SCHIFF HARDIN LLP
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Chicago, Illinois 60606
kbassi@schiffhardin.com

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,



Charles E. Matoesian
Assistant Counsel
Division of Legal Counsel

Dated: May 9, 2012

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