

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AMEREN MISSOURI AND PINCKNEYVILLE )  
ENERGY CENTER, )

Petitioner, )

v. )

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY )

Respondent. )

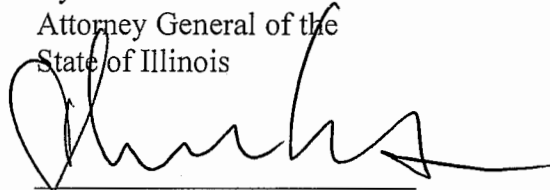
PCB No. 15-134  
(Permit Appeal-CAAPP)

**NOTICE OF FILING**

PLEASE TAKE NOTICE that on the January 27, 2015, Respondent filed its Response in Partial Opposition to Motion to Stay. A copy of the document so filed is attached hereto and served upon you.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By LISA MADIGAN  
Attorney General of the  
State of Illinois



Christopher J. Grant  
Assistant Attorney General  
Environmental Bureau  
69 W. Washington Street  
Suite 1800  
Chicago Illinois, 60602  
(312)814-5388

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AMEREN MISSOURI AND PINCKNEYVILLE	)	
ENERGY CENTER,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB No. 15-134
	)	(Permit Appeal-CAAPP)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY	)	
	)	
Respondent.	)	

**RESPONSE IN PARTIAL OPPOSITION TO MOTION FOR STAY**

NOW COMES Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by Lisa Madigan, Attorney General of the State of Illinois, and responds to Petitioner's Motion to Stay Conditions 4.0 and 7.4 of the CAAPP Permit at issues in this matter. As further described herein, Respondent does not object to a stay of condition 7.4 during the pendency of this permit appeal. However, any stay of Condition 4.0 should be limited to the emission units which are the subject of this case.

1. The sole issue in this matter is whether emission units IH-1 and IH-2, further described as "3.71 mm Btu/hr. Natural Gas Indirect Heaters" qualify as "significant emission units" in accordance with 35 Ill. Adm. Code Sections 201.210(a) and 201.211(a). Condition 7.4 adds requirements applicable to 'significant emission units'. Accordingly, Conditions 7.4 goes to the substance of Petitioner's challenge, and, as such, the Respondent has no objection to a stay of Condition 7.4 during this appeal.

2. However, Condition 4.0 provides a complete listing of all significant emission units at Petitioner's facility, including 12 emission units whose status as significant emission units are not being challenged. There is no dispute that these emission units are 'significant

emission units', and should be so regulated. Accordingly, a complete stay of Condition 4.0 would be overbroad.

3. Respondent therefore requests that the Board limit any stay of Condition 4.0 to Emission Units IH-1 and IH-2.

Respectfully submitted,

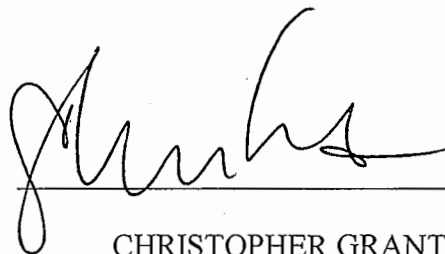
ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: 

Christopher Grant  
Assistant Attorney General  
Environmental Bureau  
69 West Washington Street  
Suite 1800  
Chicago, Illinois 60602  
(312) 814-5388

**CERTIFICATE OF SERVICE**

I, CHRISTOPHER GRANT, an attorney, do certify that I caused Respondent's Response in Partial Opposition of Motion for Stay, and Notice of Electronic Filing, to be served upon the persons listed below on January 27, 2015, by electronic mail and by placing same in an envelope bearing sufficient postage with the United States Postal Service located at 100 W. Randolph, Chicago, Illinois.



CHRISTOPHER GRANT

Mr. John Therriault  
Clerk of the Board  
Illinois Pollution Control Board  
100 W. Randolph  
Chicago, Illinois 60601  
(by electronic filing)

Ms. Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 N. Grand Avenue East  
Springfield, Illinois 62794-9274  
(by electronic mail)

Mr. Joshua R. More  
Mr. Raghavf Murali  
Schiff Hardin, LLP  
6600 Willis Tower  
233 S. Wacker Drive  
Chicago, IL 60606-6473  
[jmore@schiffhardin.com](mailto:jmore@schiffhardin.com)  
[rmurali@schiffhardin.com](mailto:rmurali@schiffhardin.com)  
(by electronic mail and first class mail)