

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DYNEGY MIDWEST GENERATION, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB 12-135
)	Variance – Air
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

To:

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

Dana Vetterhoffer, Assistant Counsel
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276

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

PLEASE TAKE NOTICE that we have today filed with the Office of the Clerk of the Pollution Control Board the attached **CERTIFICATION OF PUBLICATION**, copies of which are herewith served upon you.

/s/ Bina Joshi
Bina Joshi

Dated: May 21, 2015

SCHIFF HARDIN LLP

Attorneys for Dynegy Midwest Generation, LLC

Kathleen C. Bassi

Stephen J. Bonebrake

Bina Joshi

233 South Wacker Drive, Suite 6600

Chicago, Illinois 60606

Phone: 312-258-5605

Fax: 312-258-5600

bjoshi@schiffhardin.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DYNEGY MIDWEST GENERATION, LLC,)	
)	
Petitioner,)	
)	
v.)	PCB 12-135
)	Variance – Air
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

CERTIFICATION OF PUBLICATION

Dynegy Midwest Generation, LLC (DMG), by its attorneys, certifies that notice of the Amended Petition for Variance was published in the Alton Telegraph on May 5, 2015; the Commercial News on May 1 and 2, 2015; the Mason County Democrat on May 6, 2015; the North County News on May 7, 2015 and the News Tribune on May 5, 2015. A copy of the notice as published in each of these publications is attached hereto as Attachment 1. The certifications of publication from the Alton Telegraph, the Commercial News and the Mason County Democrat are attached hereto in Attachment 2. DMG has not yet received certifications of the publication of the notices by the North County News and News Tribune, but it will file copies of those publication certifications when received. In addition, DMG has provided the other notices required by Section 37(a) of the Illinois Environmental Protection Act, as referenced at page 2 of the Board's May 7, 2015 order in this matter.

Respectfully submitted,

DYNEGY MIDWEST GENERATION, LLC

/s/ Bina Joshi

One of it's attorneys

Dated: May 21, 2015

Kathleen C. Bassi
Stephen J. Bonebrake
Bina Joshi
SCHIFF HARDIN, LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
312-258-5500
Fax: 312-258-2600
kbassi@schiffhardin.com
sbonebrake@schiffhardin.com
bjoshi@schiffhardin.com

CERTIFICATE OF E-MAIL SERVICE

I, the undersigned, affirm that on this 21th day of May, 2015, I have served electronically the attached **CERTIFICATION OF PUBLICATION**, upon the following persons by e-mail at the email addresses indicated below:

upon the following persons by email at the e-mail addresses indicated below:

Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
brad.halloran@illinois.gov

Dana Vetterhoffer, Assistant Counsel
Illinois Environmental Protection
Agency
Division of Legal Counsel
dana.vetterhoffer@illinois.gov

I further affirm that:

My e-mail address is bjoshi@schiffhardin.com.

The number of pages in the e-mail transmission is 14.

That the e-mail transmission took place before 5:00 p.m. on the date of May 21, 2015.

/s/ Bina Joshi

Bina Joshi

SCHIFF HARDIN LLP
Attorneys for Dynegy Midwest Generation, LLC
233 South Wacker Drive, Suite 6600
Chicago, Illinois 60606
Phone: 312-258-5605
Fax: 312-258-5600

ATTACHMENT 1

Pollution Variance

On April 17, 2015, Dynegy Midwest Generation, LLC (“Dynegy”), with sources located in Randolph County, Mason County, Putnam County, Vermilion County, and Madison County, filed with the Illinois Pollution Control Board (“Board”) a motion to file an amended petition for variance and an amended petition for variance under Title IX of the Environmental Protection Act (“Act”) [415 ILCS 5/35-38]. Pursuant to Section 35 of the Act [415 ILCS 5/35] and 35 Ill. Adm. Code Part 104, the Board has the authority to grant a variance. Dynegy requests a variance from the provisions of 35 Ill. Adm. Code § 225.233(f)(2) with respect to Cross-State Air Pollution Rule (CSAPR) vintage 2014 and 2016 emissions allowances allocated to the Baldwin Energy Complex (located at 10901 Baldwin Road, Baldwin, IL), Havana Power Station (located at 15260 North State Route 78, Havana, IL), Hennepin Power Station (located at 13498 E. 800 St., Hennepin, IL), Vermilion Power Station (located at 10188 East 2150 North Road, Oakwood, IL), and Wood River Power Station (located at #1 Chessen Lane, Alton, IL). Dynegy seeks relief from provisions prohibiting owners or operators of electricity generating units (EGUs) in a Multi-Pollutant Standard (MPS) Group from selling, trading to, or otherwise exchanging with any person sulfur dioxide (“SO₂”) allowances allocated to the EGUs for vintage years 2015 and beyond that would otherwise be available for sale or trade as a result of actions taken to comply with the SO₂ emission standards in 35 Ill. Adm. Code § 225.233(e). Dynegy also seeks relief from a provision requiring that Dynegy surrender such excess SO₂ allowances to the Illinois Environmental Protection Agency (“Illinois EPA”). A copy of this variance may be obtained through the Clerk’s Office at the Board, located at: James R. Thompson Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601 (telephone: 312/814-3620). A copy may also be obtained through Board’s website: <http://www.ipcb.state.il.us/COOL/external/>.

Electronic Filing - Received, Clerk's Office : 05/21/2015

The Illinois EPA must file an amended recommendation within 45 days of the filing of the amended petition. The record will remain open for written comments until 30 days before the decision date, unless the hearing officer orders otherwise. Comments must 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. The Board's rules provide that any person may file a written request for hearing within twenty-one (21) days after the publication of notice pursuant to Section 104.214 of the Board's rules.

ATTACHMENT 2

STATE OF ILLINOIS)

County of Vermilion)

City of Danville)

ss. QQ # 14356452

NEWSPAPER HOLDINGS INC., DBA THE COMMERCIAL-NEWS, a corporation, organized and existing under and pursuant to the laws of the State of Illinois, HEREBY CERTIFIES.

That it is the PUBLISHER of the COMMERCIAL-NEWS, and the COMMERCIAL-NEWS is a secular newspaper of general circulation in Vermilion County, Illinois, printed and published in the City of Danville, Vermilion County, Illinois:

That a notice, of which the annexed is a true copy, has been regularly published, in said newspaper one time each day/week for 1 successive days/weeks/times.

That the first of such publications was on the 2 day of May 20 15, and the last publication was on the 2 day of May 20 15.

That the COMMERCIAL-NEWS has been regularly published for at least six (6) months prior to the first publication of said notice: that the face of the type in which such publication was made is the same as the body type used in the classified advertising in the newspaper in which such publication was made.

That Beverly Joyce has been duly appointed as agent of said company and authorized to certify all certificates of publication required to be made on account of publications made in the COMMERCIAL-NEWS, and that such appointment is still in full force and effect.

IN WITNESS WHEREOF, the said NEWSPAPER HOLDINGS INC., DBA THE COMMERCIAL-NEWS, PUBLISHER, aforesaid, has caused its corporate name to be hereinto affixed, and this certificate executed by Beverly Joyce its authorized Agent, on this 2 day of May, A.D. 2015.

Printer's Fee \$ 232.64

**NEWSPAPER HOLDINGS INC.,
D.B.A. COMMERCIAL-NEWS**

Date Paid _____ 20 ____ .

By: Beverly Joyce
Authorized Agent

Pollution Variance

On April 17, 2015, Dynegy Midwest Generation, LLC ("Dynegy"), with sources located in Randolph County, Mason County, Putnam County, Vermilion County, and Madison County, filed with the Illinois Pollution Control Board ("Board") a motion to file an amended petition for variance and an amended petition for variance under Title IX of the Environmental Protection Act ("Act") [415 ILCS 5/35-38]. Pursuant to Section 35 of the Act [415 ILCS 5/35] and 35 Ill. Adm. Code Part 104, the Board has the authority to grant a variance. Dynegy requests a variance from the provisions of 35 Ill. Adm. Code § 225.233(f)(2) with respect to Cross-State Air Pollution Rule (CSAPR) vintage 2014 and 2016 emissions allowances allocated to the Baldwin Energy Complex (located at 10901 Baldwin Road, Baldwin, IL), Havana Power Station (located at 15260 North State Route 78, Havana, IL), Hennepin Power Station (located at 13498 E. 800 St., Hennepin, IL), Vermilion Power Station (located at 10188 East 2150 North Road, Oakwood, IL), and Wood River Power Station (located at #1 Chessen Lane, Alton, IL). Dynegy seeks relief from provisions prohibiting owners or operators of electricity generating units (EGUs) in a Multi-Pollutant Standard (MPS) Group from selling, trading to, or otherwise exchanging with any person sulfur dioxide ("SO₂") allowances allocated to the EGUs for vintage years 2015 and beyond that would otherwise be available for sale or trade as a result of actions taken to comply with the SO₂ emission standards in 35 Ill. Adm. Code § 225.233(e). Dynegy also seeks relief from a provision requiring that Dynegy surrender such excess SO₂ allowances to the Illinois Environmental Protection Agency ("Illinois EPA"). A copy of this variance may be obtained through the Clerk's Office at the Board, located at: James R. Thompson Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601 (telephone: 312/814-3620). A copy may also be obtained through the Board's website: <http://www.ipcb.state.il.us/COOL/external/>. The Illinois EPA must file an amended recommendation within 45 days of the filing of the amended petition. The record will remain open for written comments until 30 days before the decision date, unless the hearing officer orders otherwise. Comments must 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. The Board's rules provide that any person may file a written request for hearing within twenty-one (21) days after the publication of notice pursuant to Section 104.214 of the Board's rules.

POLLUTION VARIANCE

On April 17, 2015, Dynegy Midwest Generation, LLC ("Dynegy"), with sources located in Randolph County, Mason County, Putnam County, Vermilion County, and Madison County, filed with the Illinois Pollution Control Board ("Board") a motion to file an amended petition for variance and an amended petition for variance under Title IX of the Environmental Protection Act ("Act") [415 ILCS 5/35-38]. Pursuant to Section 35 of the Act [415 ILCS 5/35] and 35 Ill. Adm. Code Part 104, the Board has the authority to grant a variance. Dynegy requests a variance from the provisions of 35 Ill. Adm. Code § 225.233(f) (2) with respect to Cross-State Air Pollution Rule (CSAPR) vintage 2014 and 2016 emissions allowances allocated to the Baldwin Energy Complex (located at 10901 Baldwin Road, Baldwin, IL), Havana Power Station (located at 15260 North State Route 78, Havana, IL), Hennepin Power Station (located at 13498 E. 800 St., Hennepin, IL), Vermilion Power Station (located at 10188 East 2150 North Road, Oakwood, IL), and Wood River Power Station (located at #1 Chessen Lane, Alton, IL). Dynegy seeks relief from provisions prohibiting owners or operators of electricity generating units (EGUs) in a Multi-Pollutant Standard (MPS) Group from selling, trading to, or otherwise exchanging with any person sulfur dioxide ("SO2") allowances allocated to the EGUs for vintage years 2015 and beyond that would otherwise be available for sale or trade as a result of actions taken to comply with the SO2 emission standards in 35 Ill. Adm. Code § 225.233(e). Dynegy also seeks relief from a provision requiring that Dynegy surrender such excess SO2 allowances to the Illinois Environmental Protection Agency ("Illinois EPA"). A copy of this variance may be obtained through the Clerk's Office at the Board, located at: James R. Thompson Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601 (telephone: 312/814-3620). A copy may also be obtained through Board's website: <http://www.ipcb.state.il.us/COOL/external/>.

The Illinois EPA must file an amended recommendation within 45 days of the filing of the amended petition. The record will remain open for written comments until 30 days before the decision date, unless the hearing officer orders otherwise. Comments must 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. The Board's rules provide that any person may file a written request for hearing within twenty-one (21) days after the publication of notice pursuant to Section 104.214 of the Board's rules.

5/6np

THE MASON COUNTY

DEMOCRAT

Robert L. Martin, Jr. Publisher

State of Illinois, }
County of Mason, } ss.

I, R.L. Martin, Jr., do hereby certify that I am the publisher of the Mason County Democrat, a weekly newspaper of general circulation in Mason County, Illinois, and printed, published and placed in general circulation in the City of Havana, Illinois; that The Mason County Democrat is a newspaper which meets the requirements of Section 10 of an Act of the General Assembly of the State of Illinois, entitled "An Act to Revise the Law in Relation to Notices", as amended by an act approved and in effect July 17, 1959, and that said newspaper has been regularly and continuously so printed, published and in general circulation, for more than one year prior to the date of the first publication of the notice hereto attached, and that the said notice, a true copy of which is hereto attached, has been published in said newspaper in

every copy or impression thereof, for 1 weeks successively, the date of the first newspaper edition containing the same being the 6 day of May, 2015 Number 18 of Volume 166, and the date of the last newspaper edition containing the same being the 6 day of May, 2015, in Number 18 of Volume 166.

Dated at Havana, Illinois, this 6 day of May, 2015

R.L. Martin Jr. Publisher.

Printer's Fee \$ 95.00

(When above amount is filled in this certificate of publication also constitutes a statement of account.)

Pollution Variance

On April 17, 2015, Dynegy Midwest Generation, LLC ("Dynegy"), with sources located in Randolph County, Mason County, Putnam County, Vermilion County, and Madison County, filed with the Illinois Pollution Control Board ("Board") a motion to file an amended petition for variance and an amended petition for variance under Title IX of the Environmental Protection Act ("Act") [415 ILCS 5/35-38]. Pursuant to Section 35 of the Act [415 ILCS 5/35] and 35 Ill. Adm. Code Part 104, the Board has the authority to grant a variance. Dynegy requests a variance from the provisions of 35 Ill. Adm. Code § 225.233(f)(2) with respect to Cross-State Air Pollution Rule (CSAPR) vintage 2014 and 2016 emissions allowances allocated to the Baldwin Energy Complex (located at 10901 Baldwin Road, Baldwin, IL), Havana Power Station (located at 15260 North State Route 78, Havana, IL), Hennepin Power Station (located at 13498 E. 800 St., Hennepin, IL), Vermilion Power Station (located at 10188 East 2150 North Road, Oakwood, IL), and Wood River Power Station (located at #1 Chessen Lane, Alton, IL). Dynegy seeks relief from provisions prohibiting owners or operators of electricity generating units (EGUs) in a Multi-Pollutant Standard (MPS) Group from selling, trading to, or otherwise exchanging with any person sulfur dioxide ("SO₂") allowances allocated to the EGUs for vintage years 2015 and beyond that would otherwise be available for sale or trade as a result of actions taken to comply with the SO₂ emission standards in 35 Ill. Adm. Code § 225.233(e). Dynegy also seeks relief from a provision requiring that Dynegy surrender such excess SO₂ allowances to the Illinois Environmental Protection Agency ("Illinois EPA"). A copy of this variance may be obtained through the Clerk's Office at the Board, located at: James R. Thompson Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601 (telephone: 312/814-3620). A copy may also be obtained through Board's website: <http://www.ipcb.state.il.us/COOL/external/>. The Illinois EPA must file an amended recommendation within 45 days of the filing of the amended petition. The record will remain open for written comments until 30 days before the decision date, unless the hearing officer orders otherwise. Comments must 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. The Board's rules provide that any person may file a written request for hearing within twenty-one (21) days after the publication of notice pursuant to Section 104.214 of the Board's rules.

Classifieds Get Results

15-0428

CERTIFICATE OF PUBLICATION

STATE OF ILLINOIS }
Madison COUNTY } ss.

This is to Certify that a notice, a true copy of which is hereto attached, was published in

The Telegraph, a secular newspaper of general
(Name of Newspaper)

circulation in Alton, Il., in the County of Madison and
(City, Township or Village)

the State of Illinois, by The Telegraph, a corporation
(Name of Company)

existing under the laws of said state, and that said notice was published on the 5th
day of May, 20 15.

And this is to Further Certify that said newspaper has been regularly published for 50 weeks prior to the publication of said notice therein, and that the person who signs the name of said company to this certificate is as appears by the records of said company, its duly authorized agent for such purpose.

Dated this 11th day of May, 20 15.

Signature: Raechel Drake

Authorized Agent Name: Raechel Drake
(Please Print)