

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

AMEREN MISSOURI AND PINKNEYVILLE)
ENERGY CENTER,)

Petitioner,)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY)

Respondent.)

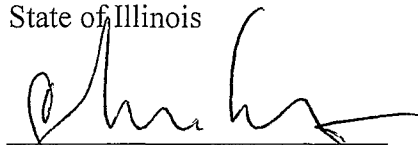
PCB No. 15-134
(Permit Appeal-CAAPP)

NOTICE OF ELECTRONIC FILING

PLEASE TAKE NOTICE that on January 25, 2016, the undersigned filed Respondent's Motion for 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
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

MOTION TO STAY

NOW COMES the Respondent, the Illinois Environmental Protection Agency (“Illinois EPA”), by and through its attorneys, and requests that the Illinois Pollution Control Board (“Board”) stay its decision on the Parties’ cross-motions for summary judgment in this matter to accommodate pending settlement discussions and possible dismissal of the case. In support of its request, Respondent states as follows:

1. This matter was filed by Petitioner on January 7, 2015, and challenged certain conditions in Petitioner’s Federally Enforceable State Operating Permit (“FESOP”) for Petitioner’s Pinkneyville facility in Perry County, Illinois. Petitioner had earlier filed similar appeals of FESOPs issued to two other Illinois facilities, including Petitioner’s Raccoon Creek facility in Clay County [PCB 15-88], and its Goose Creek facility in Piatt County [PCB 15-89] (“Related Cases”).

2. The Parties have filed cross-motions for summary judgment in this case, and in the Related Cases, with only Respondent’s Replies necessary to complete briefing. However, continued settlement discussions have been productive. Revised FESOPs have been issued to Petitioner’s Raccoon Creek and Goose Creek facilities, and Petitioner has moved to dismiss Cases No. PCB 15-88 and PCB 15-89. At present, the Parties are optimistic about a similar resolution of this matter.

3. Settlement of this matter through incorporation of mutually agreed FESOP conditions will moot the Parties' request that the Board resolve this matter through summary judgment. Accordingly, Respondent requests that the Board temporarily stay its decision on the Parties' cross-motions for summary judgment.

4. This matter is set for status with Hearing Officer Webb on March 14, 2016. In the event that this Matter has not been resolved, the Parties can advise the Hearing Officer of the status of settlement on that date.

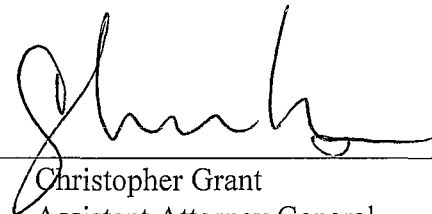
5. Petitioner has reviewed this Motion, and has no objection to the Motion, or to Respondent's request for a stay.

WHEREFORE, Respondent, the Illinois Environmental Protection Agency, respectfully requests that the Board stay this matter to accommodate pending settlement discussion.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

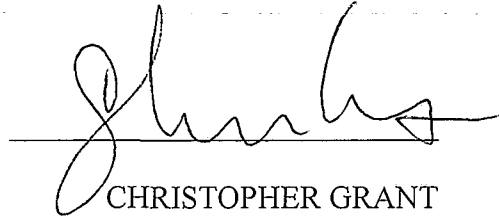
By: _____



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CERTIFICATE OF SERVICE

I, CHRISTOPHER GRANT, an attorney, do certify that I caused Respondent's Motion for Stay, and Notice of Electronic Filing, to be served upon the persons listed below on January 25, 2016 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

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Clerk of the Board
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