# ILLINOIS POLLUTION CONTROL BOARD October 17, 2016

SIERRA CLUB, NATURAL RESOURCES	)	
DEFENSE COUNCIL, PRARIE NETWORK	)	
and ENVIRONMENTAL LAW & POLICY	)	
CENTER,	)	
	)	PCB 15 - 189
Petitioners,	)	(Third-Party NPDES Permit Appeal –
	)	Water)
v.	)	
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY and MIDWEST	)	
GENERATION, LLC.,	)	
	)	
Respondents.	)	
	)	

#### **HEARING REPORT**

On October 5, 2016, a hearing was held in the above-captioned matter. The hearing was held at the James R. Thompson Center, Room 9-34, 100 West Randolph Street, Chicago, Illinois 60601. Attorney Jessica Dexter appeared on behalf of the petitioners. Attorneys Angad Nagra and Robert Petti appeared on behalf of the Illinois Environmental Protection Agency (Agency). Attorneys Susan Franzetti and Vincent Angermeier appeared on behalf of Midwest Generation, LLC. (Midwest).

### **Preliminary Matter**

Midwest stated that it will file an additional waiver of the statutory decision deadline to and including February 16, 2017. A telephonic status conference is scheduled for January 19, 2017, at 1:30 p.m.

### **Exhibits**

The parties did not offer any exhibits at hearing but instead referred to the Administrative Record.

## **Briefing Schedule**

A post-hearing briefing schedule was addressed and agreed to at the hearing. It was agreed that the parties will file simultaneous post-hearing briefs on or before November 14,

2016. The parties' replies are due to be filed on or before December 14, 2016. Public Comment must be filed on or before November 1, 2016. The record in the above-captioned appeal closes on December 14, 2016.

IT IS SO ORDERED.

Bradley P. Halloran

**Hearing Officer** 

Illinois Pollution Control Board

James R. Thompson Center, Suite 11-500

100 W. Randolph Street

Chicago, Illinois 60601

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### CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on October 17, 2016, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on October 17, 2016:

John T. Therriault Illinois Pollution Control Board James R. Thompson Center 100 W. Randolph St., Ste. 11-500 Chicago, Illinois 60601

> Bradley P. Halloran Hearing Officer Illinois Pollution Control Board 100 W. Randolph Street, Suite 11-500 Chicago, Illinois 60601 (312) 814-8917

Bradly P. Hellon

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