

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)	
)	
SIERRA CLUB, ENVIRONMENTAL)	
LAW AND POLICY CENTER,)	
PRAIRIE RIVERS NETWORK, and)	
CITIZENS AGAINST RUINING THE)	
ENVIRONMENT)	
)	PCB 2013-015
Complainants,)	(Enforcement – Water)
)	
v.)	
)	
MIDWEST GENERATION, LLC,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Don Brown, Assistant Clerk
 Illinois Pollution Control Board
 James R. Thompson Center
 100 West Randolph Street, Suite 11-500
 Chicago, IL 60601

Attached Service List

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board Respondent, Midwest Generation LLC's Preliminary Exhibit List and Preliminary Witness List, copies of which are herewith served upon you.

MIDWEST GENERATION, LLC

By: /s/ Kristen L. Gale

Dated: May 9, 2017

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 Susan M. Franzetti
 Kristen L. Gale
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Prairie Rivers Network and Sierra Club
Environmental Law & Policy Center
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Abel Russ
For Prairie Rivers Network
Environmental Integrity Project
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Greg Wannier, Associate Attorney
Sierra Club
2101 Webster Street, Suite 1300
Oakland, CA 94612

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Respondent, Midwest Generation LLC's Preliminary Exhibit List and Preliminary Witness List were filed electronically on May 9, 2017 with the following:

Don Brown, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601

and that true copies were emailed and mailed by First Class Mail, postage prepaid, on May 8, 2017 to the parties listed on the foregoing Service List.

/s/ Kristen L. Gale

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)	PCB 2013-015
Complainants,)	(Enforcement – Water)
)	
v.)	
)	
MIDWEST GENERATION, LLC,)	
)	
Respondent.)	

RESPONDENT, MIDWEST GENERATION, LLC’S, PRELIMINARY EXHIBIT LIST

Pursuant to the April 11, 2017 Hearing Officer Order, and the limitation of this hearing to liability issues only, Respondent, Midwest Generation, LLP (“MWG”), submits its preliminary list of exhibits. This list may be supplemented by exhibits used by Complainants or used for cross-examination or rebuttal.

- Comp. 9564-9579
- Comp. 9580-9585
- Comp. 9610-9617
- Comp. 15059-15250
- Comp. 17473
- Comp. 41681- 41715
- Comp. 41735- 41744
- Comp. 42946- 42947
- Comp. 46974-46975
- Comp. 46976
- Comp. 49492-49497
- Comp. 49498-49500
- Comp. 52686
- MWG13-15_1-176
- MWG13-15_178-248
- MWG13-15_293-305
- MWG13-15_328-332
- MWG13-15_333-358
- MWG13-15_364-383
- MWG13-15_384-420
- MWG13-15_421-437

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MWG13-15_61411-61552

MWG's NPDES permits (IL0064254, IL0002232, IL0002259, and IL0002208)
Sierra Club's 2014 Team IL – Beyond Coal Campaign Plan (public document)
The Expert Report of John Seymour, P.E., Nov. 2, 2015 and the Supplement to the Expert Report
of John Seymour, P.E., Feb. 29, 2016, including documents and references cited
Coal Ash Characteristics, Management, and Environmental Issues, EPRI, 2009

Respectfully submitted,

MIDWEST GENERATION, LLC.

By /s/ Jennifer T. Nijman
One of Its Attorneys

Dated: May 8, 2017
Jennifer T. Nijman
Susan M. Franzetti
Kristen L. Gale
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Respondent.)	

RESPONDENT, MIDWEST GENERATION, LLC’S, PRELIMINARY WITNESS LIST

Pursuant to the April 11, 2017 Hearing Officer Order and the limitation of this hearing to liability issues only, Respondent, Midwest Generation, LLP (“MWG”), submits its preliminary list of witnesses. The order of witnesses will be based, in part, on Complainants’ witness list to avoid having to recall certain individuals. Further, this witness list may be supplemented at hearing by additional witnesses who may be called in rebuttal.

- 1) Maria Race
- 2) Fred Veenbaas
- 3) Mark Kelly
- 4) Richard Gnat
- 5) John Seymour
- 6) Mitch Nowicki

Respectfully submitted,
MIDWEST GENERATION, LLC.

By /s/ Jennifer T. Nijman
One of Its Attorneys

Dated: May 8, 2017

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