

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	Attached Service List
Illinois Pollution Control Board	
James R. Thompson Center	
100 West Randolph Street, Suite 11-500	
Chicago, IL 60601	

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board Respondent, Midwest Generation, LLC’s Motion to Correct the October 26, 2017 (Morning Session) Hearing Transcript, a copy of which is hereby served upon you.

MIDWEST GENERATION, LLC

By: /s/ Jennifer T. Nijman

Dated: November 27, 2017

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Respondent, Midwest Generation, LLC's Motion to Correct the October 26, 2017 (Morning Session) Hearing Transcript was filed electronically on November 27, 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 on November 27, 2017 to the parties listed on the foregoing Service List.

/s/ Jennifer T. Nijman

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v.)	
)	
MIDWEST GENERATION, LLC,)	
)	
Respondent.)	

**MIDWEST GENERATION, LLC’S MOTION TO CORRECT
THE OCTOBER 26, 2017 (MORNING SESSION) HEARING TRANSCRIPT**

Pursuant to 35 Ill. Adm. Code 101.604, Respondent Midwest Generation, LLC (“MWG”), by its undersigned counsel, submits to the Hearing Officer this motion to correct the transcript for the October 26, 2017 (morning session) hearing date and states as follows:

- 1) On November 3, 2017, the transcript for the morning session of the fourth day of the hearing for the above captioned matter (October 26, 2017(morning session)) was filed with the Illinois Pollution Control Board (“Board”) Clerk’s Office.
- 2) Pursuant to 35 Ill. Adm. Code 101.604, a party has 21 days from the date the transcript is filed with the Clerk’s Office to file a motion with the Hearing Officer to correct the transcript. Pursuant to 35 Ill. Adm. Code 101.300(a), the computation of time runs until the close of the last business day, or the next business day if the last day is a State legal holiday. Twenty-one days from November 3, 2017 was November 24, 2017, a State legal holiday. Thus, this motion is timely filed on the first business day after November 24, 2017.

3) MWG has noted the following typographical errors in the October 26, 2017 (morning session) hearing transcript and requests that the Hearing Officer make the following corrections:

Page No.	Line No.	Now Reads	Requested Correction
38	6	“Germination Support Report for Joliet 29; isn’t that”	“ Determination Support Report for Joliet 29; isn’t that”
39	10	“ASTM D3987-85 is also called the neutral leach shade”	“ASTM D3987-85 is also called the neutral leachate ”
50	15	“Q. This is Table II, Brown Water Data for the”	“Q. This is Table II, Ground Water Data for the”
60	6	“major failures. The relative plain of every pond”	“major failures. The relative plane of every pond”
60	8	“What does “relative plain of a pond slope”	“What does “relative plane of a pond slope”
72	23	“MS. GALE: Mr. Hearing Officer, we object to”	“MS. GALE: Mr. Hearing Officer, we objected to”
76	1	“So on Exhibit 1261, which is the metals”	“So on Exhibit 261 , which is the metals”

WHEREFORE, for the reasons stated above, MWG requests that the Hearing Officer correct the October 26, 2017 (morning session) transcript.

Respectfully submitted,
Midwest Generation, LLC

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

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