

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 List of Exhibits Admitted or Excluded at the PCB13-15 Hearing, a copy of which is hereby served upon you.

MIDWEST GENERATION, LLC

By: /s/ Jennifer T. Nijman

Dated: February 13, 2018

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing, Certificate of Service and Respondent, Midwest Generation, LLC's List of Exhibits Admitted or Excluded at the PCB13-15 Hearing were filed electronically on February 13, 2018 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 February 13, 2018 to the parties listed on the foregoing Service List.

/s/ Jennifer T. Nijman

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

**MIDWEST GENERATION, LLC’s LIST OF EXHIBITS
ADMITTED OR EXCLUDED AT THE PCB13-15 HEARING**

Midwest Generation, LLC (“MWG”) submits its list of exhibits proffered at Hearing for the above captioned matter that was held on the October 23-27, 2017 and January 29-February 2, 2018, and the status of the exhibits.

Exhibit No.	Document No.	Description	Admitted/ Excluded
412	N/A	March 9, 2016 Supplemental Rebuttal Report by James R. Kunkel	Admitted
413	Comp 051722	March 9, 2016 Email from James Kunkel to Faith Bugel regarding Supplemental Rebuttal Report	Admitted
414	Comp 053522	March 21, 2016 Email from James Kunkel to Faith Bugel regarding Selected Corrected References	Admitted
415	N/A	Complainants’ Response to Midwest Generation LLC’s Document Request, May 23, 2016	Admitted
416	N/A	Certification of James Kunkel, October 18, 2016, with Requested Citations from the March 17, 2016 Deposition of Dr. James R. Kunkel attached	Admitted
417	Comp 046976	Sept. 17, 2014 Email from James Kunkel to Jennifer Duggan regarding NPDES Permit Monitoring Data for MWG coal ash ponds	Admitted

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Exhibit No.	Document No.	Description	Admitted/ Excluded
418	Comp 052680	Notes from Telecom with Abel Russ on Sept. 12, 2014	Admitted
419	N/A	Excerpt pages of Complainants' Exhibit 411 with certain errors corrected	Admitted
500	MWG13-15_1-34	Pond Characteristics for Midwest Generation, LLC ("MWG") Stations	Admitted
501	MWG13-15_29023-29081	Application for Permit for the Will County South Ash Ponds 2 and 3	Admitted
502	MWG13-15_48604-48605	Will County Ponds 2S and 3S Construction Permit to reline ponds	Admitted
503	MWG13-15_30105-30117	NPDES Permit No. ILR10 for Ponds 2S and 3S at Will County, 2008	Admitted
505	MWG13-15_29100-29104	Pond drawings for the relining of Pond 3S, Will County	Admitted
506	MWG13-15_29165-29259	Will County Ponds 2S & 3S Ash Pond Liner Specification	Admitted
507	MWG13-15_8236-8255	Will County Pond 3S Field Summaries and Field Directives	Admitted
508	MWG13-15_8233-8235	Leak Location Report for Pond 3S at Will County	Admitted
509	MWG13-15_28235-28237	June 25, 2013 Natural Resources Technology ("NRT") Meeting Minutes regarding Will County Pond 2S Liner Replacement Project	Admitted
510	MWG13-15_34268-34433	Construction documentation for Pond 2S at Will County	Admitted
511	MWG13-15_29339	Map of Ponds 1N and 1S at Will County	Admitted
512	MWG13-15_14705-14732	Will County Bottom Ash Analytical Report	Admitted
600	MWG13-15_47-56	LaFarge Ash Movements by Station and Utilization (i.e. beneficial use), 2008-2013	Admitted

Exhibit No.	Document No.	Description	Admitted/ Excluded
601	MWG13-15_48403	Joliet 29 Alta Survey, Sheet 1, 1999	Admitted
602	MWG 49742-49753	Joliet 29 TestAmerica Total Suspended Solids Results of effluent from Pond 2, July 20, 2015	Admitted
603	N/A	Joliet 29 NPDES Permit, Sept. 30, 2014	Admitted
604	MWG13-15_57517-57533	Joliet 29 ENSR 1998 Boring Logs	Admitted
605	MWG13-15_23618-23629	Oct. 13, 2006 Initial NRT Impoundment Liner Upgrade Priority Memo	Admitted
606	MWG13-15_23630-23647	Nov. 22, 2006 NRT Impoundment Liner Upgrade Priority Memo	Admitted
607	MWG13-15_142	MWG Initial Schedule of Pond Relining Schedule	Admitted
608	MWG13-15_18133-18189	Application for Joliet 29 Pond & 2 Construction Permits, June 21, 2007	Admitted
609	MWG13-15_18053-18054	Jolie 29 Pond 1 & 2 Construction Permit, July 20, 2007	Admitted
610	MWG13-15_49362-49507	Joliet 29 Ponds 1 & 2 Construction Documentation, Dec. 23, 2008	Admitted
611	MWG13-15_201-209	Center Point/Caterpillar Request for Environmental Land Use Control ("ELUC") at Joliet 29 Station, Feb. 8, 2008	Admitted
612	N/A	Joliet 29 Recorded ELUC, Aug. 5, 2010	Admitted
613	MWG13-15_39496-39512	Joliet 29 Hydrogeologic Assessment Plan, Sept. 2010	Admitted
614	MWG13-15_39445-39461	Powerton Hydrogeologic Assessment Plan, July 2010	Admitted
615	MWG13-15_39462-39478	Waukegan Hydrogeologic Assessment Plan, July 2010	Admitted
616	MWG13-15_39479-39495	Will County Hydrogeologic Assessment Plan, July 2010	Admitted
617	MWG13-15_814	Illinois Environmental Protection Agency ("IEPA") Approval of Joliet 29 Hydrogeologic Assessment Plan, Sept. 24, 2010	Admitted

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Exhibit No.	Document No.	Description	Admitted/ Excluded
618	MWG13-15_816-817	IEPA Approval of Powerton Hydrogeologic Assessment Plan, Sept. 24, 2010	Admitted
619	MWG13-15_815	IEPA Approval of Waukegan Hydrogeologic Assessment Plan, Sept. 24, 2010	Admitted
620	MWG13-15_813	IEPA Approval of Will County Hydrogeologic Assessment Plan, Sept. 24, 2010	Admitted
621	MWG13-15_293-305	July 15, 2009 MWG Letter responding to IEPA regarding the hydrogeologic evaluation of ash impoundments	Admitted
622	MWG13-15_442-447	Aug. 31, 2012 Joliet 29 Supplemental Response to Violation Notice	Admitted
623	MWG13-15_452-491	Sept. 4, 2012 Waukegan Supplemental Response to Violation Notice	Admitted
624	MWG13-15_492-505	Sept. 4, 2012 Powerton Supplemental Response to Violation Notice	Admitted
625	MWG13-15_506-521	Sept. 4, 2012 Will County Supplemental Response to Violation Notice	Admitted
626	MWG13-15_571-575	Joliet 29 signed Compliance Commitment Agreement (“CCA”), Oct. 24, 2012	Admitted
627	MWG13-15_17183	IEPA approval of the Joliet 29 Groundwater Management Zone (“GMZ”)	Admitted
628	MWG13-15_44275-44278	Joliet 29 Construction Permit to reline Pond 3	Admitted
629	MWG13-15_33867-33997	Joliet 29 Pond 3 Construction Documentation, July 16, 2014	Admitted
630	MWG13-15_801-802	MWG Compliance Statement certifying completion of Joliet 29 CCA measures, Oct. 9, 2013	Admitted
631	MWG13-15_48417	Powerton Alta Survey, Sale and Retained Tract Exhibit, 1999	Admitted
632	MWG13-15_8502-8536	Powerton ENSR Phase I, 1998	Admitted
633	MWG13-15_49293-49361	Sept. 14, 2010 Email from Heather Simon to IEPA regarding Powerton Bypass Basin Relining	Admitted
634	N/A	Powerton NPDES Permit, May 22, 2015	Admitted
635	MWG13-15_11302-11492	June 8, 2004, Andrews Engineering Report of Sampling the Limestone Runoff Basin, Dredge Spoil Area, and Coal Combustion Waste	Admitted

Exhibit No.	Document No.	Description	Admitted/ Excluded
636	MWG13-15_552-557	Powerton Signed CCA, Oct. 24, 2012	Admitted
637	MWG13-15_797-798	MWG Compliance Statement certifying completion of Powerton CCA measures, Oct. 17, 2013	Admitted
638	MWG13-15_23977	Oct. 3, 2013 IEPA approval of the Powerton GMZ	Admitted
639	MWG13-15_23974-23975	Aug. 26, 2013 IEPA approval of Powerton ELUC	Admitted
640	MWG13-15_48428	Waukegan Alta Survey, Tract Exhibit, 1999	Admitted
641	MWG13-15_44617	Sept. 3, 2014 Email from Maria Race to Julia Wozniak regarding Permit for Waukegan Ash Pond Liners	Admitted
642	N/A	Waukegan NPDES Permit, March 25, 2015	Admitted
643	MWG13-15_47077-47291	Remedial Investigation Report -Phase I for the Former Griess-Pfleger Tannery Site, March 1994	Admitted
644	MWG 46595-46711	Phase II Remedial Investigation Report Former Griess-Pfleger Tannery Site, Waukegan Station, 1995	Admitted
645	MWG13-15_46211-46594	RETEC Remediation Objectives Report for Former Griess-Pfleger Tannery Site, Waukegan, IL, 2002	Admitted
646	MWG13-15_12713-12738	ELUC established on portion of MWG Waukegan Station, June 23, 2003	Admitted
647	MWG13-15_565-569	Waukegan Signed CCA, Oct. 24, 2012	Admitted
648	MWG13-15_29936, 29975-29976	Waukegan Generating Station NPDES Public Hearing Transcript, July 31, 2013	Admitted
649	MWG13-15_50550	2015 Illinois EPA email between Lynn Dunaway and Jaime Rabins, filed with IPCB as Illinois EPA Exhibit 64 in Sierra Club et al. v. Illinois EPA and Midwest Generation, LLC, PCB15-189, June 26, 2015	Admitted
650	MWG13-15_24052	IEPA approval of Waukegan ELUC, Aug. 26, 2013	Admitted
651	MWG13-15_805-806	MWG Compliance Statement certifying completion of Waukegan CCA measures, Oct. 22, 2013	Admitted

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Exhibit No.	Document No.	Description	Admitted/ Excluded
652	MWG13-15_29502-29532	Will County ENSR Phase I, 1998	Admitted
653	MWG13-15_48435	Will County Alta Survey, Tract Exhibit	Admitted
654	MWG13-15_37213-37217	Will County Ponds IN, 1S, 2S and 3S Ash Pond drawings, 1977	Admitted
655	N/A	Will County NPDES Permit, May 15, 2014	Admitted
656	MWG13-15_559-563	Will County signed CCA, Oct. 24, 2012	Admitted
657	MWG13-15_30588-30591	Will County Pond 2S Construction Permit, Feb. 25, 2013	Admitted
658	MWG13-15_16564	IEPA Approval of Will County GMZ, July 2, 2013	Admitted
659	MWG13-15_611-621	MWG Proposed Will County ELUC, Jan. 18, 2013	Admitted
660	MWG13-15_761	IEPA Approval of Will County GMZ, Sept. 26, 2013	Admitted
661	MWG13-15_795-796	MWG Compliance Statement certifying completion of Will County CCA measures, Oct. 17, 2013	Admitted
662	N/A	Sierra Club 2014 Team IL - Beyond Coal Campaign Plan	Neither Admitted nor Excluded - Offer of Proof
663	N/A	Joliet 29 Timeline of Events	Admitted
664	N/A	Powerton Timeline of Events	Admitted
664A	From Construction Documents	Panoramic View of Ash Basin from Northeast Corner, Facing Southwest, Powerton Station	Admitted
665	N/A	Waukegan Timeline of Events	Admitted
666	N/A	Will County Timeline of Events	Admitted
667	N/A	MWG Station Maps: Joliet 29, Powerton, Waukegan, Will County	Admitted
700	MWG13-15_10948-10966	Analytical Report of Bottom Ash, Powerton, March 14, 2007	Admitted

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701	MWG13-15_9583-9643	Application for Construction Permit of Powerton Ash Surge Basin, Jan. 17, 2013	Admitted
702	MWG13-15_10812-10815	IEPA Permit to Construct Powerton Ash Surge Basin Relining, Feb. 25, 2013	Admitted
703	MWG13-15_33998-34157	Construction Documentation for the Powerton Ash Surge Basin Liner Replacement, July 18, 2014	Admitted
704	MWG13-15_9783-9840	Application for Permit for Construction of Powerton Bypass Liner Replacement, June 30, 2010	Admitted
705	MWG13-15_30421-30424	IEPA Construction Permit for Powerton Bypass Basin Relining, Sept. 15, 2010	Admitted
706	MWG13-15_49099-49256	Construction Documentation for the Powerton Metal Cleaning Basin and Bypass Basin Liner Replacement, June 27, 2011	Admitted
707	MWG13-15_10236-10310	Application for Permit for Construction of Powerton Metal Cleaning Basin Liner Replacement, July 27, 2009	Admitted
708	MWG13-15_10209-10212	IEPA Construction Permit to Reline Powerton Metal Clean Basin, Nov. 13, 2009	Admitted
709	MWG13-15_30429-30432	IEPA Construction Permit to Reline Secondary Ash Basin, April 2, 2010	Admitted
710	MWG13-15_34158-34267	Construction Documentation for the Powerton Secondary Ash Settling Basin Liner Replacement, July 21, 2014	Admitted
711	MWG13-15_50093	CCA Modification to cease sampling the Powerton East Yard Run-off Basin, June 30, 2015	Admitted
712	N/A	Jar of bottom ash collected from the Waukegan Station	Admitted
800	MWG13-15_19430-19441	KPRG Erosion/Repair Documentation for Joliet 29, Sept. 26, 2009	Admitted
801	MWG13-15_19461-19468	KPRG Erosion/Repair Documentation for Joliet 29, Sept. 16, 2010	Admitted
802	MWG13-15_44148-44152	KPRG Erosion/Repair Documentation for Joliet 29, Sept. 22, 2011	Admitted
803	MWG13-15_19474-19481	KPRG Erosion/Repair Documentation for Joliet 29, Sept. 26, 2012	Admitted

Exhibit No.	Document No.	Description	Admitted/ Excluded
804	MWG13-15_19483	KPRG Inspection Report for Joliet 29, Aug. 21, 2013	Admitted
805	MWG13-15_44147	KPRG Inspection Report for Joliet 29, Aug. 28, 2014	Admitted
806	MWG13-15_12809-12820	KPRG Soil Pile Sampling Summary, Waukegan Station, July 22, 2004	Admitted
807	MWG13-15_48644	KPRG Waukegan 1974 Aerial Photo of Historic Areas, Jan. 4, 2013	Admitted
808	N/A	ASTM D3987-85 (2004), Standard Test Method for Shake Extraction of Solid Waste with Water	Admitted
809	N/A	Table of Groundwater Analytical Results for MWG Joliet 29 Station, 4Q2014 – 2Q2017	Admitted
810	N/A	Table of Groundwater Analytical Results for MWG Powerton Station, 4Q2014 – 2Q2017	Admitted
811	N/A	Table of Groundwater Analytical Results for MWG Waukegan Station, 4Q2014 – 2Q2017	Admitted
812	N/A	Table of Groundwater Analytical Results for MWG Will County Station, 4Q2014 – 2Q2017	Admitted
813	N/A	Waukegan Groundwater Flow Map	Admitted
900	MWG13-15_48959-48966	John Seymour, P.E. Curriculum Vitae	Admitted
901	N/A	John Seymour Testimony/PowerPoint Presentation and Updates	Admitted
902	MWG13-15_50258-50269	ASTM E2277-14, Standard Guide for Design and Construction of Coal Ash Structural Fills	Admitted
903	N/A	Expert Report of John Seymour, P.E., Nov. 2, 2015	Admitted
904	N/A	Supplement to the Expert Report of John Seymour, P.E., Feb. 29, 2016	Admitted
905	N/A	John Seymour, P.E. Report Citation Updates, January 2018	Admitted
906	N/A	John Seymour Temporal Trend Testing Results, Feb. 29, 2016	Admitted

Exhibit No.	Document No.	Description	Admitted/ Excluded
907	N/A	Updates to 2Q2017 of Tables for the Appendix B, Surface Water Risk Characterization of the John Seymour Expert Report	Admitted
908	N/A	Joliet 29 Monitoring Well Slides compared to Class I Standard based upon Complainants' Exhibit 411	Admitted

Respectfully submitted,
Midwest Generation, LLC

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

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