

ILLINOIS POLLUTION CONTROL BOARD
July 26, 2018

ILLINOIS POWER GENERATING COMPANY)
(COFFEEN POWER STATION),)
)
Petitioner,)
)
v.) PCB 17-15
) (NPDES Permit Appeal - Water)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by K. Papadimitriu):

On June 13, 2018, Illinois Power Generating Company (IPGC) filed a motion to voluntarily dismiss this appeal (Mot.). The appeal concerns National Pollutant Discharge Elimination System (NPDES) permit No. IL0000108. The permit was issued by the Illinois Environmental Protection Agency (Agency) on September 16, 2016, for IPGC's Coffeen Power Station located at 134 CIPS Lane, Coffeen, Montgomery County.

On November 17, 2016, the Board granted IPGC's motion to stay the contested permit, noting that the automatic stay provision of Illinois Administrative Procedure Act applies and IPGC's 2008 NPDES permit remains in effect during the stay. *See Illinois Power Generating Company (Coffeen Power Station) v. IEPA, PCB 17-15, slip op. at 2 (Nov. 17, 2018); 5 ILCS 100/10-65(b) (2016).*

IPGC's motion states that the Agency issued a modified version of the NPDES permit pursuant to the parties' agreement. Mot. at 1. The Board notes that the newly issued NPDES permit is subject to appeal in a separate docket PCB 18-82. The Agency did not file objections against granting the motion. The Board grants the motion, dismisses the appeal, and closes the docket.

IT IS SO ORDERED.

Board Members B.K. Carter and C.M. Santos abstained.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on July 26, 2018, by a vote of 3-0.



Don A. Brown, Clerk

Illinois Pollution Control Board