

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
)  
PETITION OF MIDWEST GENERATION, LLC, ) AS 07-03  
WAUKEGAN GENERATING STATION ) (Adjusted Standard- Air)  
FOR AN ADJUSTED STANDARD FROM )  
35 ILL.ADM.CODE 225.230 )  
)

**NOTICE OF FILING**

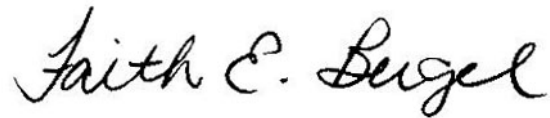
To:

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 West Randolph  
Chicago, IL 60601

Persons included on the  
**ATTACHED SERVICE LIST**

**PLEASE TAKE NOTICE** that we have today filed with the Office of the Clerk of the Pollution Control Board **MOTION TO INTERVENE OF ENVIRONMENTAL LAW & POLICY CENTER**, copies of which are herewith served upon you.

Respectfully Submitted,



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**Faith E. Bugel**  
Environmental Law & Policy Center  
35 E. Wacker Dr. Suite 1300  
Chicago, IL 60601

DATED: December 6, 2007

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
)  
PETITION OF MIDWEST GENERATION, LLC, ) AS 07-03  
WAUKEGAN GENERATING STATION ) (Adjusted Standard- Air)  
FOR AN ADJUSTED STANDARD FROM )  
35 ILL.ADM.CODE 225.230 )  
)

**MOTION FOR LEAVE TO INTERVENE**

I, FAITH E. BUGEL, hereby file a MOTION TO INTERVENE in this matter on behalf of ENVIRONMENTAL LAW & POLICY CENTER. In support of this Petition, ELPC states the following:

1. ELPC is an Illinois-based not-for-profit organization that was previously party to the CAIR (R06-025) and Mercury (R06-026) Rulemakings before the Illinois Pollution Control Board and is similarly affected by the current Adjusted Standard proceeding.
2. Due to our interest and involvement in R06-025 and R06-026, ELPC and all ELPC members have an interest in proceedings that decide and affect the applicability of the Illinois Mercury Rules.
3. ELPC and its members will be directly and materially affected by the outcome of this proceeding. ELPC's mission includes advocating for the protection of air quality and water quality, and protection of public health directed related to air and water quality. ELPC's members would be directly affected by an adjusted standard at the Waukegan facility that affects the manner in which the Illinois Mercury Rule is applied and the consequent mercury emissions from that facility.

Respectfully Submitted,

*Faith E. Bugel*

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**Faith E. Bugel**

Environmental Law & Policy Center  
35 E. Wacker Dr. Suite 1300  
Chicago, IL 60601

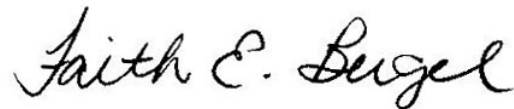
DATED: December 6, 2007

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on this 6<sup>th</sup> day of December, 2007, I have served electronically the attached **MOTION FOR LEAVE TO INTERVENE OF ELPC** upon the following persons:

Dorothy Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
Suite 11-500  
100 West Randolph  
Chicago, Illinois 60601

and electronically and by first class-mail with postage thereon fully prepaid and affixed to the persons listed on the **ATTACHED SERVICE LIST**.



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**Faith E. Bugel**  
Environmental Law & Policy Center  
35 E. Wacker Dr. Suite 1300  
Chicago, IL 60601

DATED: December 6, 2007

**SERVICE LIST**

(AS 07-03)

Rachel L. Doctors, Assistant Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276 Springfield  
IL 62794-9276

Sheldon A. Zabel  
Stephen J. Bonebrake  
Kathleen C. Bassi  
Schiff Hardin, LLP  
6600 Sears Tower  
233 South Wacker Drive Chicago  
IL 60606-6473  
Sheldon A. Zabel  
Stephen J. Bonebrake  
Kathleen C. Bassi