

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CALPINE CORPORATION)	
(ZION ENERGY CENTER),)	
)	
Petitioner,)	
)	
v.)	PCB 16-112
)	(Variance-Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Office of the Clerk of the	Division of Legal Counsel
Illinois Pollution Control Board	Illinois Environmental Protection
James R. Thompson Center	Agency
100 West Randolph Street, Suite 11-500	1021 North Grand Avenue East
Chicago, Illinois 60601	P.O. Box 19276
	Springfield, Illinois 62794-927

PLEASE TAKE NOTICE that on the 3rd day of August, 2017, on behalf of Calpine Corporation (Zion Energy Center), a **Motion to Administratively Amend the Board's Order Granting a Variance**, was filed with the Office of the Clerk of the Illinois Pollution Control Board.

Respectfully submitted,

CALPINE CORPORATION (ZION ENERGY CENTER)

By: /s/ Richard M. Saines

One of its attorneys
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**MOTION TO ADMINISTRATIVELY AMEND THE BOARD'S ORDER
GRANTING A VARIANCE FROM 35 IAC 214.162(b)(2)**

Pursuant to Section 35(a) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/35(a), and Parts 101 and 104 of Title 35 of the Illinois Administrative Code, 35 IAC §§ 101.100 and 104.100 *et seq.*, Calpine Corporation's Zion Energy Center (the "Facility"), by and through its counsel, Baker & McKenzie LLP, hereby submits Calpine Corporation's Motion to Administratively Amend The Board's Order Granting a Variance from 35 IAC 214.161(b)(2). The Illinois Pollution Control Board (the "Board") issued its order granting the Facility's petition for a variance on November 17, 2016 (the "Board's Order"). In its petition for a variance, the Facility cited to the sulfur content rules at 35 IAC 214.161(b)(2), which apply to fuel combustion emission units. Illinois EPA did not object to the Board granting the Facility's petition. Subsequently, Illinois EPA informed the Facility that the correct citation from which relief should be granted is to 35 IAC 214.305(a)(2), which applies to process emission units. The Facility's operations fall under the definition of process emission unit, not fuel combustion emission unit. The two rules are identical in substance in every way, but simply apply to different types of units.

Accordingly, to correct this ministerial error, the Facility requests that all references in the Board's Order to 35 IAC 214.161(b)(2) be replaced with 35 IAC 214.305(a)(2) and that any references to the Facility's "fuel combustion emission units" be replaced with "process emission units". No other changes are requested. Illinois EPA is aware of and supports the changes requested by this motion.

Respectfully submitted,

CALPINE CORPORATION (ZION
ENERGY CENTER)

By: /s/ Richard M. Saines

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on August 3, 2017, I electronically served the attached **Motion to Administratively Amend the Board's Order Granting a Variance** on the following persons:

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