

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

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

**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 25, 2017 Hearing Transcript, a copy of which is hereby served upon you.

MIDWEST GENERATION, LLC

By: /s/ Jennifer T. Nijman

Dated: November 20, 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 25, 2017 Hearing Transcript was filed electronically on November 20, 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 20, 2017 to the parties listed on the foregoing Service List.

/s/ Jennifer T. Nijman

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<b>Complainants,</b>	)	<b>(Enforcement – Water)</b>
	)	
<b>v.</b>	)	
	)	
<b>MIDWEST GENERATION, LLC,</b>	)	
	)	
<b>Respondent.</b>	)	

**MIDWEST GENERATION, LLC’S MOTION TO CORRECT  
THE OCTOBER 25, 2017 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 25, 2017 hearing date and states as follows:

- 1) On October 31, 2017, the transcript for the third day of the hearing for the above captioned matter (October 25, 2017) was filed with the Illinois Pollution Control 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.
- 3) MWG has noted the following typographical errors in the October 25, 2017 hearing transcript and requests that the Hearing Officer make the following corrections:

<b>Page No.</b>	<b>Line No.</b>	<b>Now Reads</b>	<b>Requested Correction</b>
2	13	BY: MS. JENNIFER T. NIJMAN and KRISTEN L. GALE	BY: MS. JENNIFER T. NIJMAN, <b>SUSAN M. FRANZETTI</b> , and KRISTEN L. GALE
11	11	“there at the time I prepared this.”	“there at the time <b>she</b> prepared this.”
53	7	“muddering wells 8 and 9 at Waukegan”	“ <b>monitoring</b> wells 8 and 9 at Waukegan”

Page No.	Line No.	Now Reads	Requested Correction
53	14	“muddering well 9?”	“ <b>monitoring</b> well 9?”
60	18-21	“new federal rules. I actually have complaints. They also tend to introduce the CCA data as well which is collected pursuant to the Illinois EPA requirement.”	“new federal rules. I <b>understand from Complainants that they also intend</b> to introduce the CCA data as well which is collected <b>pursuant</b> to the Illinois EPA requirement.”
63	17-18	“MS. DUBIN: I object to the admission of this data as accumulative and duplicative...”	“ <b>MS. GALE:</b> I object to the admission of this data as <b>cumulative</b> and duplicative...”
75	10	“agreement grand water management application for”	“agreement <b>ground</b> water management application for”
77	23	“this is the area that was geed upon with Illinois”	“this is the area that was <b>agreed</b> upon with Illinois”
79	4	“—it can be classified as co-combustion byproduct”	“—it can be classified as <b>coal</b> combustion byproduct”
87	11	“MS. GALE: Objection that is GMZ. It means”	“MS. GALE: Objection that is <b>within a</b> GMZ. It means”
88	9	“MS. GALE: Objection, ground water management”	“MS. GALE: Objection, <b>in a</b> ground water management”
95	9	“resultant from the combustion of goal were formerly”	“resultant from the combustion of <b>coal</b> were formerly”
123	2	“area, yes, two different issues.”	“area, <b>yet</b> , two different issues.”
132	22	“screened within the silky clay unit, which is not”	“screened within the <b>silty</b> clay unit, which is not”
133	7	“Within this silky clay unit the flow was”	“Within this <b>silty</b> clay unit the flow was”
138	21	“representing is the complainant’s commitment”	“representing is the <b>compliance</b> commitment”
148	13	“MS. NIJMAN: Mr. Halloran,...”	“MS. <b>FRANZETTI:</b> Mr. Halloran,...”
150	19	“this is the metals cleaning basin quarterly group”	“this is the metals cleaning basin <b>groundwater</b> ”
150	21	“20165”	“ <b>2016</b> ”
152	15	“reports, which I’ve just admitted into evidence”	“reports, which <b>we</b> ’ve just admitted into evidence”
153	21	“from my witness, because it contain the data”	“from my witness, because it <b>did not</b> contain the data”
154	1	“reports that were just admitted no evidence”	“reports that were just admitted <b>into</b> evidence”
164	19	“foundry”?”	“ <b>boundary</b> ”?”
165	1	“also see the present ash foundry as a label on that”	“also see the present ash boundary as a label on that”
169	14	“MS. DUBIN:”	“ <b>MR. WANNIER</b> ”

Page No.	Line No.	Now Reads	Requested Correction
171	15	"MS. GALE: Objection to the term of "analysis.""	"MS. GALE: Objection to the term of "analyses.""
173	17	"Commonwealth Edison document prepared by NSRP, a"	"Commonwealth Edison document prepared by <b>ENSR</b> , a"
175	14	"MS. NIJMAN: Mr. Halloran, we would object at"	"MS. <b>FRANZETTI</b> : Mr. Halloran, we would object at"
193	17	"both relined with an HDP layer, correct?"	"both relined with an <b>HDPE</b> layer, correct?"
193	21	"had been lined with an HDP liner at some point prior"	"had been lined with an <b>HDPE</b> liner at some point prior"
206	3	"MS. NIJMAN: Mr. Hearing Officer, for the"	"MS. <b>FRANZETTI</b> : Mr. Hearing Officer, for the"
207	6	"MS. NIJMAN: Can we have a moment?"	"MS. <b>FRANZETTI</b> : Can we have a moment?"
207	8	"MS. NIJMAN: With respect to the scope of our"	"MS. <b>FRANZETTI</b> : With respect to the scope of our"
208	14	"MS. NIJMAN: Just in addition, and I really"	"MS. <b>FRANZETTI</b> : Just in addition, and I really"
209	23	"MS. NIJMAN: Mr. Halloran, could I just ask a"	"MS. <b>FRANZETTI</b> : Mr. Halloran, could I just ask a"
210	8	"MS. NIJMAN: I don't need to ask my question,"	"MS. <b>FRANZETTI</b> : I don't need to ask my question,"
214	10	"MS. NIJMAN: Are you saying you don't have an"	"MS. <b>FRANZETTI</b> : Are you saying you don't have an"
228	6	"MS. NIJMAN: May we go off the record just for"	"MS. <b>FRANZETTI</b> : May we go off the record just for"

WHEREFORE, for the reasons stated above, MWG requests that the Hearing Officer correct the October 25, 2017 transcript.

Respectfully submitted,  
Midwest Generation, LLC

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

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