

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PETITION OF MIDWEST) AS 19-1
GENERATION, LLC FOR AN) (Adjusted Standard – RCRA)
ADJUSTED STANDARD FROM 35 ILL.)
ADM. CODE PARTS 811 AND 814)

NOTICE OF FILING

To:

Don Brown, Clerk of the Board Illinois Pollution Control Board James R. Thompson Center, Suite 11-500 100 W. Randolph Street Chicago, IL 60601 don.brown@illinois.gov	Division of Legal Counsel Illinois Environmental Protection Agency 1021 N. Grand Avenue East P.O. Box 19276 Springfield, IL 62794
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PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board Petitioner, Midwest Generation, LLC's Certificate of Publication, a copy of which is herewith served upon you.

Dated: February 8, 2019

MIDWEST GENERATION, LLC

By: 

Kristen L. Gale
Susan M. Franzetti
NIJMAN FRANZETTI LLP
10 South LaSalle Street Suite 3600
Chicago, IL 60603
(312) 251-5255

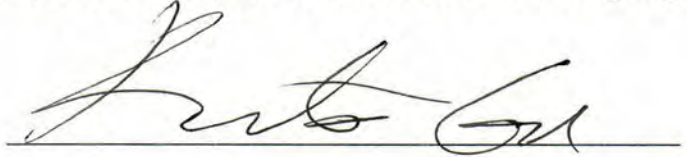
CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Petitioner, Midwest Generation, LLC's Certificate of Publication was electronically filed on February 8, 2019 with the following:

Don Brown, Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, IL 60601
don.brown@illinois.gov

and that a true copy was mailed on February 8, 2019 to the parties listed on the above foregoing Service List.

Dated: February 8, 2019

A handwritten signature in black ink, appearing to read "Don Brown", is written over a horizontal line.

Kristen L. Gale
Susan M. Franzetti
Nijman Franzetti LLP
10 S. LaSalle Street, Suite 3600
Chicago, IL 60603
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PROOF OF PETITION NOTICE

Midwest Generation, LLC, through its undersigned attorney, hereby files its proof of petition notice pursuant to 35 Ill. Adm. Code 104.410. Midwest Generation, LLC filed its petition in this matter on February 6, 2019, and caused publication of notice of the filing of that petition pursuant to 35 Ill. Adm. Code 104.408 in the Joliet Herald on February 8, 2019. The Certificate of Publication is attached.

Respectfully submitted,

MIDWEST GENERATION, LLC

By: 

Kristen L. Gale

Date: February 8, 2019

Kristen L. Gale
Susan M. Franzetti
Nijman Franzetti LLP
10 S. LaSalle Street, Suite 3600
Chicago, Il 60603
(312) 251-5255

The Herald-News

Description: PETITION
1630666

NIJMAN FRANZETTI LLP
10 S LASALLE STREET SUITE 3600
CHICAGO IL 60603

Shaw Media certifies that it is the publisher of The Herald-News. The Herald-News is a secular newspaper, has been continuously published daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City of Joliet, County of Will, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 time(s) in The Herald-News, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on 02/08/2019

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by J. Tom Shaw, its publisher, at Joliet, Illinois, on 8th day of February, A.D. 2019

Shaw Media By:



J. Tom Shaw, Publisher

Account Number 10100403

Amount \$137.30

PUBLIC NOTICE

**NOTICE OF PETITION BY
MIDWEST GENERATION, LLC
FOR AN ADJUSTED STANDARD
BEFORE THE ILLINOIS POLLUTION
CONTROL BOARD**

Midwest Generation, LLC ("MWGen") filed a petition for an adjusted standard from 35 Ill. Adm. Code 811.314 with the Illinois Pollution Control Board on February 5, 2019 pursuant to 35 Ill. Adm. Code 101.400 for the Joliet/Lincoln Quarry, located at the corner of Brandon Road and Patterson Road in unincorporated Will County, south of Joliet, Illinois. That petition, which has been assigned docket #AS 19-1, requests a modification of its existing adjusted standard ("docket #AS 96-9"). Currently, Condition 7 (c) of MWGen's existing adjusted standard states that if MWGen closes the Joliet/Lincoln Quarry above the water line, then the final cover shall be a two-foot layer of compacted soil having a hydraulic conductivity of 1×10^{-7} cm/sec, overlain by at least four inches of topsoil. MWGen requests that Condition 7(c) of its existing adjusted standard be revised to allow MWGen to use as a final cover an alternative two-stage final cover system for the dry closure of the Joliet/Lincoln Quarry composed of a low permeability geosynthetic membrane that has a hydraulic conductivity of 1×10^{-13} cm/sec and a final protective cover comprised of synthetic turf and sand which will protect the underlying low permeability layer, including protection from erosion and freezing. Any person may cause a public hearing to be held in the above-described adjusted standard proceeding by filing a hearing request with the Illinois Pollution Control Board within 21 days after the date of the publication of this notice. The hearing request should indicate the docket number for the adjusted standard proceeding, as found in this notice. The hearing request must be mailed to the Clerk, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601, or filed electronically through COOL, located on the Board's website, (www.ipcb.state.il.us).

(Published in the Herald-News
February 8, 2019)1630666