

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
)  
PETITION OF MIDWEST ) AS 2021-003  
GENERATION, LLC FOR AN )  
ADJUSTED STANDARD FROM 35 ILL. )  
ADM. CODE PARTS 811 AND 814 )

**NOTICE OF FILING**

To: See attached service list.

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: May 18, 2021

MIDWEST GENERATION, LLC

By: /s/ Kristen L. Gale

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**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 May 18, 2021 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](mailto:don.brown@illinois.gov)

and that a true copy was e-mailed on May 18, 2021 to the parties listed on the above foregoing Service List.

Dated: May 18, 2021

/s/ Kristen L. Gale

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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 May 11, 2021, and caused publication of notice of the filing of that petition pursuant to 35 Ill. Adm. Code 104.408 in the Lake County Daily Herald and Reflejos on May 14, 2021 in English and Spanish. The Certificate of Publication is attached.

Respectfully submitted,  
MIDWEST GENERATION, LLC

By: /s/ Kristen L. Gale  
Kristen L. Gale

Date: May 18, 2021

Kristen L. Gale  
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NOTICE OF PETITION BY MIDWEST GENERATION, LLC FOR AN ADJUSTED STANDARD BY THE ILLINOIS POLLUTION CONTROL BOARD  
Midwest Generation, LLC ("MWG") filed a petition for an adjusted standard from 35 Ill. Adm. Code 845.740(a) and Finding of Inapplicability of the Illinois Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments of 35 Ill. Adm. Code 845 with the Illinois Pollution Control Board on May 11, 2021 pursuant to 35 Ill. Adm. Code 101.400 for its Waukegan Station located at 401 East Greenwood Ave, Waukegan, Lake County, Illinois. Waukegan Station is a power-generating station. The petition for an adjusted standard, which has been assigned docket #2021-003, requests regulatory relief for the East Pond and an area on the west side of the Station called a "Grassy Field." MWG is requesting an adjusted standard for the East Pond to allow the decontamination and retention of its existing liner rather than the liner's removal as provided in 35 Ill. Adm. Code 845.740(a). MWG proposed the following adjusted standard language: "MWG may close by removing and decontaminating all areas affected by releases from the East Pond at the Waukegan Station. CCR removal and decontamination of the East Pond is complete when the CCR in the East Pond and any areas affected by releases from the CCR surface impoundment have been removed. MWG must conduct visual inspection and analytical testing to demonstrate that the geomembrane liner in the East Pond is not contaminated with CCR constituents. MWG must submit the results to Illinois EPA." MWG is also requesting that the Board find 35 Ill. Adm. Code Part 845 is inapplicable to the Grassy Field because it does not accumulate CCR or liquid. MWG proposed the following adjusted standard language: "Part 845 of the Illinois Pollution Control Board Regulations does not apply to the 10-acre area west of the West Pond known as the Grassy Field located at the MWG Waukegan Generating Station, 401 East Greenwood Ave, Waukegan, IL 60087 because it is an unconsolidated fill area. MWG will continue to conduct quarterly groundwater monitoring of each monitoring well at the Waukegan Station for the constituents listed in 35 Ill. Adm. Code 620.410(a), with the exception of perchlorate, in the addition of field pH and static water elevation. MWG will report the analytical results and field measurements to the Agency quarterly. Two copies of the quarterly reports shall be submitted to: Groundwater Section Illinois Environmental Protection Agency Division of Public Water Supplies MC #13 1021 North Grand Avenue East Springfield, IL 62794-9276." 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 Daily Herald May 14, 2021 (4563722)

**CERTIFICATE OF PUBLICATION**

**Paddock Publications, Inc.**

**Lake County  
Daily Herald**

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Lake County DAILY HERALD**. That said **Lake County DAILY HERALD** is a secular newspaper, published in Libertyville and has been circulated daily in the Village(s) of: Antioch, Bannockburn, Deerfield, Fox Lake, Gages Lake, Grandwood Park, Grayslake, Green Oaks, Gurnee, Hainesville, Hawthorn Woods, Highland Park, Highwood, Indian Creek, Ingleside, Island Lake, Kildeer, Lake Barrington, Lake Bluff, Lake Forest, Lake Villa, Lake Zurich, Lakemoor, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Long Lake, Mundelein, North Barrington, Prairie View, Riverwoods, Round Lake, Round Lake Beach, Round Lake Park, Third Lake, Vernon Hills, Volo, Wadsworth, Waukegan, Wauconda, Wildwood

County(ies) of Lake  
and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the Lake County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 05/14/2021 in said Lake County DAILY HERALD and REFLEJOS.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.  
DAILY HERALD NEWSPAPERS

BY *Daulea Baltz*  
Designee of the Publisher and Officer of the Daily Herald

Control # 4563722

AVISO DE PETICIÓN DE MIDWEST GENERATION, LLC PARA UN ESTÁNDAR AJUSTADO ANTE LA JUNTA DE CONTROL DE CONTAMINACIÓN DE ILLINOIS. Midwest Generation, LLC ("MWG") presentó una petición para un estándar ajustado del Código 845.740(a) de 35 Ill. Adm. y finding of Inapplicability of the Illinois Standards for the Disposal of Coal Combustion Residuals in Surface Incineration, 35 Ill. Código 845 de Adm., con la Junta de Control de la Contaminación de Illinois el 11 de mayo de 2021 de conformidad con el Código 101.400 de 35 Ill. Adm. para su Estación Waukegan ubicada en 401 East Greenwood Ave, Waukegan, Lake County, Illinois. La estación de Waukegan es una estación generadora de energía. La petición de un estándar ajustado, al que se le ha asignado expediente #2021-003, solicita alivio regulatorio para el Estanque Este y un área en el lado oeste de la Estación llamada "Grassy Field". MWG está solicitando un estándar ajustado para el Estanque Este para permitir la descontaminación y retención de su revestimiento existente en lugar de la eliminación del revestimiento según lo dispuesto en 35 Ill. Adm. Código 845.740(a). MWG propuso el siguiente lenguaje estándar ajustado: "MWG puede cerrar eliminando y descontando todas las áreas afectadas por las liberaciones del Estanque Este en la Estación Waukegan. La eliminación y descontaminación del Estanque Este del CCR está completa cuando se han eliminado el CCR en el Estanque Este y cualquier área afectada por las liberaciones del incineración de superficie ccr. MWG debe llevar a cabo inspecciones visuales y pruebas analíticas para demostrar que el revestimiento de membrana en el estanque oriental no está contaminado con componentes CCR. MWG debe presentar los resultados a la EPA de Illinois." MWG también está solicitando que la Junta encuentre que la Parte 845 del Código 845 de La Junta es inaplicable al Campo De hierba porque no acumula CCR ni líquido. MWG propuso el siguiente lenguaje estándar ajustado: "La Parte 845 del Reglamento de la Junta de Control de la Contaminación de Illinois no se aplica al área de 10 acres al oeste del West Pond conocida como Grassy Field ubicada en la Estación Generadora MWG Waukegan, 401 East Greenwood Ave, Waukegan, IL 60087 porque es un área de llenado no consolidado. MWG continuará llevando a cabo un monitoreo trimestral de las aguas subterráneas de cada pozo de monitoreo en la Estación waukegan para los constituyentes enumerados en el Código 620.410(a) de 35 Ill. Adm., con la excepción del perclorato, además del pH de campo y la elevación estática del agua. MWG informará trimestralmente a la Agencia de los resultados analíticos y las mediciones sobre el terreno. Se presentarán dos copias de los informes trimestrales a: Groundwater Section Illinois Environmental Protection Agency Division of Public Water Supplies MC #13 1021 North Grand Avenue East Springfield, IL 62794-9276. Cualquier persona puede hacer que una audiencia pública se celebre en el procedimiento estándar ajustado descrito anteriormente presentando una solicitud de audiencia ante la Junta de Control de Contaminación de Illinois dentro de los 21 días posteriores a la fecha de publicación de este aviso. La solicitud de audiencia debe indicar el número de expediente para el procedimiento estándar ajustado, como se encuentra en este aviso. La solicitud de audiencia debe ser enviada por correo al Secretario, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 111-500, Chicago, Illinois 60601, o presentada electrónicamente a través de COOL, ubicada en el sitio web de la Junta (www.ipcb.state.il.us). Published in Daily Herald May 14, 2021 (4563723)

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