

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

|                               |   |                               |
|-------------------------------|---|-------------------------------|
| <b>AMERENENERGY RESOURCES</b> | ) |                               |
| <b>GENERATING COMPANY</b>     | ) |                               |
|                               | ) |                               |
| <b>Petitioner,</b>            | ) |                               |
|                               | ) |                               |
| <b>v.</b>                     | ) | <b>PCB 14-41</b>              |
|                               | ) | <b>(Permit Appeal – Land)</b> |
|                               | ) |                               |
| <b>ILLINOIS ENVIRONMENTAL</b> | ) |                               |
| <b>PROTECTION AGENCY,</b>     | ) |                               |
|                               | ) |                               |
| <b>Respondent.</b>            | ) |                               |

**NOTICE OF FILING**

TO: Attached Service List

PLEASE TAKE NOTICE that on May 17<sup>th</sup>, 2016, I filed with the Pollution Control Board of the State of Illinois, a **LIMITED WAIVER OF DECISION DEADLINE**, on behalf of AmerenEnergy Resources Generating Company, Inc., copies of which are attached hereto and herewith served upon you.

Respectfully submitted,

AMERENENERGY RESOURCES GENERATING  
COMPANY, INC.

By:           /s/ Amy Antonioli

Amy Antonioli

Amy Antonioli  
SCHIFF HARDIN LLP  
233 S. Wacker Drive, Suite 6600  
Chicago, Illinois 60606  
Phone: (312) 258-5500  
Facsimile: (312) 258-5600

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| <b>PROTECTION AGENCY,</b>     | ) |                               |
|                               | ) |                               |
| <b>Respondent.</b>            | ) |                               |

**LIMITED WAIVER OF DECISION DEADLINE**

AmerenEnergy Resources Generating Company (“Petitioner” or “AERG”), by and through its attorneys, SCHIFF HARDIN LLP, pursuant to 35 Ill. Adm. Code 101.308(c)(2), hereby agrees to a limited waiver of the decision deadline for final action by the Illinois Pollution Control Board (“Board”) in this proceeding through September 22, 2016. In support of this waiver, Petitioner states as follows:

1. On November 27, 2013, Petitioner filed a petition for review of the default disapproval, by failure to take action, of AERG’s request for beneficial use determination (“BUD”), pursuant to Section 3.135(b) of the Illinois Environmental Protection Act (the “Act”) and 40 of the Act (415 ILCS 5/3.135(b) and 5/40) (“Petition for Review”).

2. AERG requested the BUD to apply to its use of coal combustion by-product (“CCB”) as fill material for the construction of a railroad embankment and a haul road at the Duck Creek Power Generating Station.

3. The current deadline for this matter is August 18, 2016.

4. Petitioner hereby voluntarily agrees to a limited waiver of the decision deadline through September 22, 2016.

WHEREFORE, Petitioner AERG requests that the Illinois Pollution Control Board accept this limited waiver of the decision deadline for final action on the Petitioner's Petition for Review.

Respectfully submitted,

AMERENENERGY RESOURCES  
GENERATING COMPANY

by:

/s/ Amy Antonioli

Amy Antonioli

Dated: May 17, 2016

SCHIFF HARDIN, LLP  
Amy Antonioli  
233 South Wacker Drive  
Suite 6600  
Chicago, Illinois 60606  
312-258-5500  
Fax: 312-258-2600

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on this 17<sup>th</sup> day of May, 2016, I have electronically served a true and correct copy of the attached **LIMITED WAIVER OF DECISION DEADLINE**, on behalf of AmerenEnergy Resources Generating Company, Inc., upon the following persons:

Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
Springfield, Illinois 62794  
[Carol.webb@illinois.gov](mailto:Carol.webb@illinois.gov)

My e-mail address is [aantoniolli@schiffhardin.com](mailto:aantoniolli@schiffhardin.com).  
The number of pages in the e-mail transmission is 5.  
The email transmission took place before 5:00pm.

I further certify that I served a true and correct copy of the attached **LIMITED WAIVER OF DECISION DEADLINE**, on behalf of AmerenEnergy Resources Generating Company, by first class mail, postage affixed, upon:

Raymond J. Callery  
Assistant Attorney General  
Environmental Bureau  
500 South Second Street  
Springfield, Illinois 62706

Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794

/s/ Amy Antoniulli

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Amy Antoniulli

**SERVICE LIST**

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Illinois Pollution Control Board  
1021 North Grand Avenue East  
Springfield, Illinois 62794

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