

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| | | |
|------------------------------|---|-----------------------|
| In the Matter of: |) | |
| |) | |
| SIERRA CLUB, ENVIRONMENTAL |) | |
| LAW AND POLICY CENTER, |) | |
| PRAIRIE RIVERS NETWORK, and |) | |
| CITIZENS AGAINST RUINING THE |) | |
| ENVIRONMENT |) | |
| |) | PCB No-2013-015 |
| Complainants, |) | (Enforcement – Water) |
| |) | |
| v. |) | |
| |) | |
| MIDWEST GENERATION, LLC, |) | |
| |) | |
| Respondents |) | |

NOTICE OF ELECTRONIC FILING

PLEASE TAKE NOTICE that I have filed the following **COMPLAINANTS**
MOTION TO CORRECT MAY 15-19, 2023 TRANSCRIPTS in the above-captioned case
today, copies of which are hereby served upon you.

Faith E. Bugel

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Dated: June 12, 2023

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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| In the Matter of: |) | |
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| SIERRA CLUB, ENVIRONMENTAL |) | |
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| Complainants, |) | (Enforcement – Water) |
| |) | |
| v. |) | |
| |) | |
| MIDWEST GENERATION, LLC, |) | |
| |) | |
| Respondents |) | |

MOTION TO CORRECT MAY 15-19, 2023 TRANSCRIPTS

Pursuant to 35 Ill. Adm. Code 101.604, Complainants Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and Citizens Against Ruining the Environment (“Complainants”), by their undersigned counsel, submit to the Hearing Officer this motion to correct the transcript for the May 15-19, 2023 hearing dates and state as follows.

The earliest transcripts were filed with the Board on May 22, 2023. Complainants have noted the following errors in the May 15-19, 2023 hearing transcripts and request that the Hearing Officer make the following corrections:

| Date | Page and Line Number | Transcript Language | Correction |
|--------------|-----------------------------|----------------------------|-------------------|
| May 15, 2023 | 41:7 | “burning” | “burned” |
| | 44:12 | “have got a” | “have a” |
| | 51:3 | “basin” | “basins” |
| | 51:14 | “Also, ASD” | “Also, an ASD” |
| | 57:10 | “nearer” | “near or” |
| | 61:4 | “filler” | “fill areas” |
| | 80:5 | “enclosed” | “closed” |
| | 83:16 | “means for” | “means to” |
| | 85:15 | “follows” | “flows” |

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| | | | |
|------------------------------|--------|------------------------|----------------------------|
| | 90:8 | “in wells” | “and wells” |
| | 94:19 | “boring” | “borings” |
| | 97:17 | “invective” | “advective” |
| | 104:11 | “evaluation selection” | “evaluation and selection” |
| | 104:16 | “its” | “that” |
| | 105:1 | “how I” | “how you” |
| | 115:3 | “monitor” | “monitored” |
| | 165:15 | “metal” | “metals” |
| | 178:18 | “foreclosure” | “closure” |
| | 207:7 | “assessment” | “assessments” |
| May 16, 2023 | 74:3 | “JIS” | “GIS” |
| | 74:5 | “JIS” | “GIS” |
| | 76:7 | “as a specific” | “as specific” |
| | 80:7 | “line” | “lined” |
| | 83:5 | “Seymour Kunkel” | “Seymour, Kunkel” |
| | 103:15 | “Tab 2, the one” | “Tab 2, one” |
| May 16, 2023 Non-disclosable | 10:8 | "benefit is" | “benefit” |
| | 10:24 | “section” | “session” |
| | 12:5 | “before what” | “before you what” |
| | 30:8 | "no" | "not" |
| | 38:2 | "I look" | “I don’t look” |
| | 40:16 | "tied" | "tide" |
| | 55:8 | "fore" | "for" |
| | 55:13 | "period" | "period is" |
| | 61:21 | "complainant's" | "complainants' " |
| | 62:5 | "complainant's" | "complainants' " |
| | 62:7 | "complainant's" | "complainants' " |
| | 63:15 | "and" | "or" |
| | 67:7 | "ABLE" | "ABEL" |
| | 87:21 | "ABLE" | "ABEL" |
| | 87:23 | "ABLE" | "ABEL" |
| | 88:12 | "ABLE" | "ABEL" |
| | 88:13 | "ABLE" | "ABEL" |
| | 88:16 | "ABLE" | "ABEL" |
| | 91:10 | "prove" | "proof" |
| | 93:14 | “utility” | “company” |
| | 93:22 | “FERG” | “FERC” |
| | 93:23 | “FERG” | “FERC” |
| | 103:20 | “context” | “contexts” |
| | 110:24 | “did’s” | “did” |
| | 122:22 | “oak” | “okay” |
| | 126:21 | “petitioner’s” | “petitioners” |
| | 141:10 | “peaking” | “speaking” |

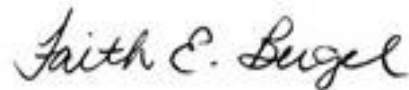
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| | | | |
|------------------------------|--------|------------------------|--|
| | 152:19 | “brining” | “bringing” |
| May 17, 2023 Non-disclosable | 8:1 | “where” | “were” |
| | 22:3 | “subjective” | “subject” |
| | 32:10 | “seek” | “see” |
| | 34:3 | “seek” | “see” |
| | 34:7 | “seek” | “see” |
| May 17, 2023 | 11:20 | “proceeding alternate” | “proceeding, an alternate” |
| | 12:16 | “679775” | “79775” |
| | 19:2 | “CCA slash permit” | “CCA/permit” |
| | 29:17 | “the” | “at” |
| | 41:8 | “ASD” | “the ASD” |
| | 49:1 | “TBS” | “TDS” |
| | 55:20 | “Mr. Wannier” | “Ms. Gale” |
| | 56:9 | “Communicative” | “Cumulative” |
| | 65:8 | “filtering” | “filtered” |
| | 83:9 | “summary data” | “summary” |
| | 83:14 | “an attachment” | “attachment” |
| | 111:21 | “passed” | “past” |
| | 112:23 | “it we have” | “we have it” |
| | 115:21 | “wall” | “while” |
| | 119:20 | “overtime” | “over time” |
| | 128:7 | “10.2” | “10-2” |
| | 145:8 | “permit” | “permit application” |
| | 160:20 | “asked” | “ask” |
| | 165:18 | “accept” | “except” |
| | 166:20 | “have” | “has” |
| | 175:6 | “down gradient” | “downgradient” |
| | 175:19 | “down gradient” | “downgradient” |
| | 179:10 | “slow” | “slope” |
| | 185:14 | “huge” | “huge,” |
| | 185:18 | “Mr. Wannier” | “Mr. Russ” |
| | 187:2 | “they thought” | “we thought” |
| May 18, 2023 | 17:10 | “was correct” | “is correct” |
| | 29:12 | “air” | “error” |
| | 43:17 | “Ms. Gale” | Delete “Ms. Gale” (Mr. Russ is still speaking) |
| | 52:22 | “The 78” | “878” |
| | 90:23 | “Sonitus” | “Sanitas” |
| | 150:21 | “Part 854” | “Part 845” |
| May 19, 2023 | 10:11 | “CRR” | “CCR” |
| | 16:13 | “845.274(a)” | “845.740(a)” |
| | 17:16 | “retaining” | “retain” |

| | | | |
|--|--------|-------------------|--------------------|
| | 19:11 | "know" | "don't know" |
| | 25:24 | "247" | "257" |
| | 30:19 | "Pond 2 south" | "Pond 1 south" |
| | 37:14 | "L584.14" | "EL584.14" |
| | 46:6 | "CRR" | "CCR" |
| | 47:10 | "CRR" | "CCR" |
| | 56:18 | "CRR" | "CCR" |
| | 58:24 | "485" | "845" |
| | 61:24 | "Roman" | "Roman numeral" |
| | 63:12 | "CRR" | "CCR" |
| | 63:14 | "CRR from a CRR" | "CCR from a CCR" |
| | 64:19 | "cube" | "cubic" |
| | 65:1 | "CRR" | "CCR" |
| | 65:16 | "485" | "845" |
| | 74:17 | "witness" | "the witness" |
| | 89:20 | "485" | "845" |
| | 100:4 | "Ms. Wachspress" | "Ms. Gale" |
| | 154:9 | "ultimate source" | "alternate source" |
| | 189:24 | "quiet" | "quite" |

WHEREFORE, for the reasons stated above, Complainants request that the Hearing Officer correct the May 15-19, 2023 transcripts.

Respectfully submitted,



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Dated: June 12, 2023

CERTIFICATE OF SERVICE

The undersigned, Gregory E. Wannier, an attorney, certifies that I have served electronically upon the Clerk and by email upon the individuals named on the attached Service List a true and correct copy of the **COMPLAINANTS' MOTION TO CORRECT MAY 15-19, 2023 TRANSCRIPTS** before 5 p.m. Central Time on June 12, 2023, to the email addresses of the parties on the attached Service List. The entire filing package, including exhibits, is 7 pages.

Respectfully submitted,



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June 12, 2023