

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
) AS 2024-006
PETITION OF MIDWEST GENERATION, LLC)
)
FOR AN ADJUSTED STANDARD FROM) (Adjusted Standard – Air)
)
35 Ill. Admin. Code Parts 201 and 212)

NOTICE OF FILING

To:

Don Brown
Carol Webb
Pollution Control Board
100 West Randolph Street
James R. Thompson Center
Suite 11-500
Chicago, Illinois 60601-3218

Charles E. Matoesian
Dana Vetterhoffer
Audrey L. Walling
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that on this day, the 13th day of September, 2023, I caused to be filed with the Clerk of the Illinois Pollution Control Board **MIDWEST GENERATION, LLC'S CERTIFICATE OF PUBLICATION**, copies of which are herewith served upon you.

Dated: September 13, 2023

Respectfully submitted,

Midwest Generation, LLC

/s/ Samuel A. Rasche
One of its Attorneys

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Attorneys for Midwest Generation, LLC

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 13th day of September, 2023: I have electronically served a true and correct copy of Midwest Generation, LLC's Certificate of Publication by electronically filing with the Clerk of the Illinois Pollution Control Board and by e-mail upon the following persons:

Don Brown
Carol Webb
Pollution Control Board
100 West Randolph Street
James R. Thompson Center
Suite 11-500
Chicago, Illinois 60601-3218

Charles E. Matoesian
Dana Vetterhoffer
Audrey L. Walling
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

My e-mail address is Sam.Rasche@afslaw.com.

The number of pages in the e-mail transmission is 8.

The e-mail transmission took place before 5:00 p.m.

/s/ Samuel A. Rasche

Attorney for Midwest Generation, LLC

Dated: September 13, 2023

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PROOF OF PETITION NOTICE

NOW COMES Midwest Generation, LLC, by and through its attorneys, ArentFox Schiff LLP, pursuant to Section 28.1 of the Illinois Environmental Protection Act, 415 Ill. Comp. Stat. 5/28.1, and 35 Ill. Admin. Code §§ 104.410, and hereby submits is proof of petition notice for its Petition for and Adjusted Standard from 35 Ill. Admin. Code Parts 201 and 212. Midwest Generation, LLC filed its petition in this matter on August 14, 2023, and, pursuant to 35 Ill. Admin. Code §§ 104.408, caused the publication of notice of the Amended Petition in the *Pekin Daily Times* on August 23, 2023. Pursuant to 35 Ill. Admin. Code § 104.410, the certificate of publication issued by the publisher of the above paper is attached as **Exhibits A**.

Respectfully submitted,

Midwest Generation, LLC

By: /s/ Samuel A. Rasche
 One of its Attorneys

Dated: September 13, 2023

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Attorneys for Midwest Generation, LLC

EXHIBIT A

LOCALiQ

The State Journal-Register | Canton Daily Ledger
The Courier | The Register-Mail | JournalStar
The McDonough County Voice | Star Courier
Pontiac Daily Leader | Pekin Daily Times
Journal-Standard | Rockford Register Star

PO Box 631200 Cincinnati, OH 45263-1200

PROOF OF PUBLICATION

Suite 7100
Samuel Rasche
917 N Taylor Ave
Oak Park IL 60302

STATE OF ILLINOIS, COUNTY OF TAZEWELL

The Pekin Daily Times, a daily newspaper of general circulation, printed and published in Pekin, Tazewell County, Illinois; that the publication, a copy of which is attached hereto, was published in said newspaper in the issues dated:

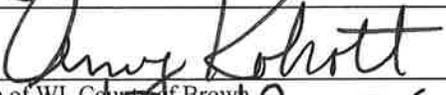
08/23/2023

That said newspaper was regularly issued and circulated on those dates and that the fees charged are legal.

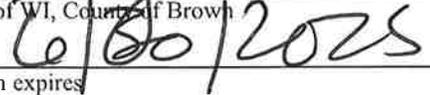
Sworn to and subscribed before on 08/23/2023



 Legal Clerk



 Notary, State of WI, County of Brown



 My commission expires

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 Order No: 9188249 # of Copies:
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THIS IS NOT AN INVOICE!
Please do not use this form for payment remittance.

AMY KOKOTT
 Notary Public
 State of Wisconsin

NOTICE of Petition by Midwest Generation, LLC for an
Adjusted Standard (AS 2024-006) Before the Illinois Pollution
Control Board
Electronic Filing: Received by Clerk's Office 09/13/2023

Midwest Generation, LLC ("MWG") filed a petition for an adjusted standard with the Illinois Pollution Control Board on August 14, 2023 (docket number AS 2024-006). MWG operates Powerton Generating Station, a coal-fired power plant located at 13082 East Manito Road, Pekin, Tazewell County, Illinois 61554. MWG seeks an adjusted standard from opacity standards applicable to emissions from MWG's coal-fired boilers during periods of startup, malfunction, and breakdown ("SMB") (as codified in 35 Ill. Admin. Code §§ 212.122(a) and 212.123(a), except as allowed by §§ 212.122(b), 212.123(b), or 212.124, and with the requirement to comply with those standards during periods of SMB as governed by § 201.149). For its proposed adjusted standard, MWG proposes the following language apply:

Pursuant to Section 28.1 of the Environmental Protection Act, the Board grants MWG an adjusted standard from the opacity requirements applicable to coal-fired boilers 51, 52, 61 and 62 at the Powerton Generating Station (collectively, the "Affected Units") during periods of startup, malfunction and breakdown as set forth at 35 Ill. Admin. Code Part 212, Subpart B, and Part 201, Subparts C and I (as amended July 25, 2023). The Adjusted Standard.

During times of startup of an Affected Unit, or of malfunction or breakdown of an Affected Unit or the air pollution control equipment serving the Affected Unit, when average opacity exceeds 30 percent for a six-minute period, compliance with the 30 percent opacity standard (applicable pursuant to 35 Ill. Admin. Code §§ 201.149 and 212.123(a), except as allowed by § 212.123(b) or 212.124) may alternatively be demonstrated for that six-minute period as follows.

a) Alternative Averaging Period.

Compliance for that six-minute period may be determined based on a three-hour average of opacity, utilizing opacity readings for those six minutes and the immediately preceding 174 minutes.

b) Recordkeeping and Reporting.

(i) Any person relying on the Alternative Averaging Period in Section 2.a) of this Adjusted Standard shall maintain records of such average opacity calculations and shall report such calculations to Illinois EPA as part of the next quarterly excess emissions report for the source.

(ii) For periods of startup, such report shall include:

(a) The date, time, and duration of the startup.

(b) A description of the startup.

(c) The reason(s) for the startup.

(d) An indication of whether or not written startup procedures were followed. If any written startup procedures were not followed, the report shall include any departures from established procedures and any reason the procedures could not be followed.

(e) A description of any actions taken to minimize the magnitude or duration of opacity that requires utilization of the Alternative Averaging Period in Section 2.a) of this Adjusted Standard.

(f) An explanation whether similar incidents could be prevented in the future and, if so, a description of the actions taken or to be taken to prevent similar incidents in the future.

(g) Confirmation of fulfillment of the requirements of Section 2.c) of this Adjusted Standard.

(iii) For periods of malfunction and breakdown, such report shall include:

(a) The date, time, duration (i.e., the length of time during which operation continued with opacity in excess of 30 percent on a six-minute average basis) until corrective actions were taken or the boiler was taken out of service.

(b) A description of the incident.

(c) Any corrective actions used to reduce the magnitude or duration of opacity that requires utilization of the Alternative Averaging Period in Section 2.a) of this Adjusted Standard.

(d) Confirmation of fulfillment of the requirements of Sections 2.b)(iv) and 2.c) of this Adjusted Standard.

(iv) Any person who causes or allows the continued operation of a coal-fired boiler during a malfunction or breakdown of the coal-fired boiler or related air pollution control equipment when such continued operation would require reliance on the Alternative Averaging Period in Section 2.a) of this Adjusted Standard to demonstrate compliance with 35 Ill. Admin. Code Part 201 and 212 shall immediately report such incident to the Agency by telephone, facsimile, electronic mail, or such other method as constitutes the fastest available alternative, except if otherwise provided in the operating permit. Thereafter, any such person shall comply with all reasonable directives of the Agency with respect to the incident.

c) Work Practices

Any person relying on the Alternative Averaging Period in Section 2.a) of this Adjusted Standard must comply with the following Work Practices.

(i) Operate the coal-fired boiler and related air pollution control equipment in a manner consistent with good engineering practice for minimizing opacity during such startup, malfunction or breakdown.

(ii) Use good engineering practices and best efforts to minimize the frequency and duration of operation in startup, malfunction and breakdown.

The Adjusted Standard is effective as of the date of this order.

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).
August 23 2023 LILS0017761