

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF:	)	
	)	AS 2024-004
PETITION OF DYNEGY	)	
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

Dana Vetterhoffer  
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 24<sup>th</sup> Day of April, 2024, I caused to be filed with the Clerk of the Illinois Pollution Control Board **DYNEGY'S STATUS REPORT**, copies of which are herewith served upon you.

Dated: April 24, 2024

Respectfully submitted,

Dynegy Midwest Generation, LLC; Illinois  
Power Generating Company; and Kincaid  
Generation, LLC

/s/ Samuel A. Rasche  
One of its Attorneys

Joshua R. More  
Amy Antonioli  
Samuel A. Rasche  
ARENTFOX SCHIFF LLP  
233 South Wacker Drive, Suite 7100  
Chicago, Illinois 60606  
(312) 258-5500  
[Joshua.More@afslaw.com](mailto:Joshua.More@afslaw.com)  
[Amy.Antonioli@afslaw.com](mailto:Amy.Antonioli@afslaw.com)  
[Sam.Rasche@afslaw.com](mailto:Sam.Rasche@afslaw.com)

Andrew N. Sawula  
ARENTFOX SCHIFF LLP  
One Westminster Place, Suite 200  
Lake Forest, Illinois 60045  
(847) 295-4336  
[Andrew.Sawula@afslaw.com](mailto:Andrew.Sawula@afslaw.com)

*Attorneys for Dynegy*

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
 ) AS 2024-004  
PETITION OF DYNEGY )  
FOR AN ADJUSTED STANDARD FROM ) (Adjusted Standard – Air)  
35 Ill. Admin. Code Parts 201 and 212 )

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that on this 24<sup>th</sup> day of April, 2024: I have electronically served a true and correct copy of Dynegy’s Status Report 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](mailto:Sam.Rasche@afslaw.com).

The number of pages in the e-mail transmission is 6.

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

          /s/          Samuel A. Rasche          

Attorney for Dynegy

Dated: April 24, 2024

Joshua R. More  
Amy Antonioli  
Samuel A Rasche  
ARENTFOX SCHIFF LLP  
233 South Wacker Drive, Suite 7100  
Chicago, Illinois 60606  
(312) 258-5500  
[Joshua.More@afslaw.com](mailto:Joshua.More@afslaw.com)  
[Amy.Antonioli@afslaw.com](mailto:Amy.Antonioli@afslaw.com)  
[Sam.Rasche@afslaw.com](mailto:Sam.Rasche@afslaw.com)

Andrew N. Sawula  
ARENTFOX SCHIFF LLP  
One Westminster Place, Suite 200  
Lake Forest, Illinois 60045  
(847) 295-4336  
[Andrew.Sawula@afslaw.com](mailto:Andrew.Sawula@afslaw.com)

*Attorneys for Dynegy*

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
 ) AS 2024-004  
PETITION OF DYENGY )  
FOR AN ADJUSTED STANDARD FROM ) (Adjusted Standard – Air)  
35 Ill. Admin. Code Parts 201 and 212 )

**STATUS REPORT**

NOW COMES Dynegy Midwest Generation, LLC, Illinois Power Generating Company, and Kincaid Generation, LLC (collectively, “Dynegy”) by and through its attorneys, ArentFox Schiff LLP, and pursuant to 35 Ill. Adm. Code § 101.502 and 101.514, provides this Status Report.

1. On September 5, 2023, the Illinois Environmental Protection Agency (“IEPA”) filed a *Motion for Stay of Proceedings, or in the Alternative, Motion for Extension of Time to File Recommendation* while the Board considers Dynegy’s substantively similar rulemaking proposal in R23-18(A). On September 21, 2023, the Board granted IEPA’s motion to stay the proceedings for 90 days, until December 21, 2023. *See, Order of the Board*, AS 24-04 at 2. On January 4, 2024, the Board granted IEPA’s unopposed motion to extend the stay until April 19, 2024. *See, Hearing Officer Order*, AS 24-04. Pursuant to 35 Ill. Adm. Code § 101.514, the Board directed the parties to file a status and any additional requests for stay of the proceedings at the close of stay. *Id.*

2. On April 16, 2024, IEPA filed a *Status Report and Motion to Extend Stay of Proceedings* (“IEPA Status Report”), fulfilling the parties’ obligations under 35 Ill. Adm. Code § 101.514(b). IEPA also requested that the Board extend the stay of proceedings “for 150 days up to and including September 16, 2024 (or a later date if deemed more appropriate by the Board).” IEPA Status Report at 5.

3. Dynegy confirms the information provided in IEPA’s status report, and Dynegy has no objection to IEPA’s request to extend the stay of proceedings.

Respectfully submitted,

Dynergy Midwest Generation, LLC;  
Illinois Power Generating Company;  
and Kincaid Generation, LLC

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

Dated: April 24, 2024

Joshua R. More  
Amy Antonioli  
Samuel A Rasche  
ARENTFOX SCHIFF LLP  
233 South Wacker Drive, Suite 7100  
Chicago, Illinois 60606  
(312) 258-5500  
[Joshua.More@afslaw.com](mailto:Joshua.More@afslaw.com)  
[Amy.Antonioli@afslaw.com](mailto:Amy.Antonioli@afslaw.com)  
[Sam.Rasche@afslaw.com](mailto:Sam.Rasche@afslaw.com)

Andrew N. Sawula  
ARENTFOX SCHIFF LLP  
One Westminster Place, Suite 200  
Lake Forest, Illinois 60045  
(847) 295-4336  
[Andrew.Sawula@afslaw.com](mailto:Andrew.Sawula@afslaw.com)

*Attorneys for Dynergy*