

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 2013-015
Complainants,)	(Enforcement – Water)
)	
v.)	
)	
MIDWEST GENERATION, LLC,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Don Brown, Clerk	Attached Service List
Illinois Pollution Control Board	
James R. Thompson Center	
100 West Randolph Street, Suite 11-500	
Chicago, IL 60601	

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board, Joint Agreed Stipulations for the Continued Hearing, a copy of which is hereby served upon you.

MIDWEST GENERATION, LLC

By: /s/ Jennifer T. Nijman

Dated: February 11, 2022

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing, Certificate of Service for the Joint Agreed Stipulations for the Continued Hearing, a copy of which is hereby served upon you was filed on February 11, 2022 with the following:

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

and that true copies of the Notice of Filing, Certificate of Service and Joint Agreed Stipulations for the Continued Hearing were emailed on February 11, 2022 to the parties listed on the foregoing Service List.

/s/ Jennifer T. Nijman

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JOINT AGREED STIPULATIONS FOR THE CONTINUED HEARING

Pursuant to the Illinois Pollution Control Board Order of December 10, 2021, Midwest Generation, LLC (MWG), Sierra Club, Environmental Law and Policy Center, Prairie Rivers Network, and the Citizens Against Ruining the Environment (together, the “Parties”) submit the following additional stipulations for use at the continued Hearing. The prior Joint Agreed Stipulations entered on October 2, 2017 remain in effect.

No.	Stipulation
1.	The Joliet 29 Station, Powerton Station, Waukegan Station, and Will County Station generate electricity sold on the PJM Energy Market, and offer generating capacity sold on PJM’s capacity market.
2.	MWG’s publicly available websites for CCR are: https://midwestgenerationllc.com/illinois-ccr-rule-compliance-data-and-information/ and https://www.nrg.com/legal/coal-combustion-residuals.html .
Joliet 29 Station	
3.	Pond 2 at Joliet 29 is a CCR surface impoundment as defined in 415 ILCS 5/3.143.
4.	MWG began sampling the groundwater at Joliet 29 in December 2010.
5.	MWG has submitted the groundwater monitoring results for Joliet 29 to Illinois EPA from 2010 to present.
6.	On November 1, 2021, MWG submitted an operating permit application to the Illinois EPA for Pond 2 at Joliet 29.

No.	<u>Stipulation</u>
7.	On February 1, 2021, MWG submitted a construction permit application to the Illinois EPA for the closure of Pond 2 at Joliet 29.
Powerton Station	
8.	The Ash Surge Basin, Ash Bypass Basin, and the Metal Cleaning Basin at Powerton are CCR surface impoundments as defined in 415 ILCS 5/3.143.
9.	The Former Ash Basin at Powerton is not lined.
10.	The NOAA National Weather Service river gage located at the Peoria Lock and Dam is the closest river gage upstream of the Powerton Station.
11.	The NOAA National Weather Service river gage located at the Kingston Mines is the closest river gage downstream of the Powerton station.
12.	The East Yard Basin at Powerton receives precipitation runoff from the east half of the Powerton Station.
13.	The Limestone Basin at Powerton has been empty since 2013.
14.	MWG began sampling the groundwater at Powerton in December 2010.
15.	MWG has submitted the groundwater monitoring results for Powerton to Illinois EPA from 2010 to present.
16.	On November 1, 2021, MWG submitted operating permit applications to the Illinois EPA for the Ash Surge Basin, Ash Bypass Basin, and the Former Ash Basin at Powerton.
Waukegan Station	
17.	The East Ash Pond at Waukegan is a CCR surface impound as defined in 415 ILCS 5/3.143.
18.	The West Ash Pond at Waukegan is a CCR surface impound as defined in 415 ILCS 5/3.143.
19.	MWG has publicly announced that the Waukegan Station is scheduled to cease burning coal in June 2022.
20.	MWG began sampling the groundwater at Waukegan in October 2010.
21.	MWG has submitted the groundwater monitoring results for Waukegan to Illinois EPA from 2010 to present.
22.	On November 1, 2021, MWG submitted an operating permit application to the Illinois EPA for the East Ash Pond and West Ash Pond at Waukegan.
23.	On February 1, 2022, MWG submitted a construction permit application to the Illinois EPA for the closure of the East Ash Pond and West Ash Pond at Waukegan.

No.	<u>Stipulation</u>
Will County Station	
24.	MWG has publicly announced that the Will County Station is scheduled to cease burning coal in June 2022.
25.	Will County Ponds 1N and 1S are inactive CCR surface impoundments. 35 Ill. Adm. Code 845.120.
26.	Will County Ponds 2S and 3S are CCR surface impoundments as defined in 415 ILCS 5/3.143.
27.	On November 1, 2021, MWG submitted an operating permit application to the Illinois EPA for the Ponds 2S and 3S at Will County.
28.	MWG began sampling the groundwater at Will County in December 2010.
29.	MWG has submitted the groundwater monitoring results for Will County to Illinois EPA from 2010 to present.