

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**DYNEGY MIDWEST
GENERATION, LLC,**

Petitioner,

v.

**ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,**

Respondent.

)
)
)
)
)
)
)
)
)
)
)

PCB 2025-015

NOTICE OF FILING

To: See Attached Service List (Via Electronic Filing)

PLEASE TAKE NOTICE that the undersigned filed today with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the following MOTION FOR EXTENSION OF TIME TO FILE THE RECORD, copies of which are attached hereto and hereby served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Mallory Meade
Mallory Meade, #6345981
Assistant Attorney General
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706
(217) 299-8343
mallory.meade@ilag.gov

Dated: October 25, 2024

SERVICE LIST

Joshua R. More
Bina Joshi
Samuel A. Rasche
ARENTFOX SCHIFF LLP
233 South Wacker Drive, Suite 7100
Chicago, Illinois 60606
Joshua.More@afslaw.com
Bina.Joshi@afslaw.com
Sam.Rasche@afslaw.com

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274
carol.webb@illinois.gov

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 25, 2024, before 5:00 PM, she caused to be served by electronic mail, a true and correct copy of the following instruments entitled Notice of Filing and Motion for Extension of Time to File the Record to:

Joshua R. More
Bina Joshi
Samuel A. Rasche
ARENTFOX SCHIFF LLP
233 South Wacker Drive, Suite 7100
Chicago, Illinois 60606
Joshua.More@afslaw.com
Bina.Joshi@afslaw.com
Sam.Rasche@afslaw.com

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274
carol.webb@illinois.gov

This email transmission contains 5 pages.

/s/ Mallory Meade
mallory.meade@ilag.gov
Assistant Attorney General
Environmental Bureau

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this Certificate of Service are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/ Mallory Meade
Assistant Attorney General
Environmental Bureau

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DYNEGY MIDWEST)	
GENERATION, LLC,)	
)	
)	
Petitioner,)	
)	
v.)	
)	PCB 2025-015
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

MOTION FOR AN EXTENSION OF TIME
TO FILE THE RECORD

1. On September 30, 2024, Dynegy Midwest Generation, LLC (“Petitioner”) filed a Petition for Review of Illinois Environmental Protection Agency’s Non-Concurrence with Alternative Source Demonstration Under 35 Ill. Adm. Code Part 845 and Motion for Stay, challenging a non-concurrence with an Alternative Source Determination issued by Illinois EPA to Petitioner on August 26, 2024.
2. Respondent has no objection to Petitioner’s requested stay.
3. Pursuant to Section 105.116(a) of the Board’s regulations, 35 Ill. Adm. Code 105.116(a), the Illinois EPA must file the administrative record by October 30, 2024.
4. Illinois EPA personnel involved in preparing the record have been working diligently, but certain personnel changes have impacted the compiling of the record. Therefore, additional time is needed to compile and file the administrative record.
5. Respondent respectfully requests additional time until December 31, 2024 in order to file the record.
6. Counsel for Petitioner does not object to Respondent’s request.

7. Respondent's request for additional time is for good cause and will not prejudice Petitioner or unduly delay this matter.

WHEREFORE, for the reasons set forth above, Respondent Illinois EPA requests an extension of time until and including December 31, 2024 to file the administrative record.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Mallory Meade
Mallory Meade, #6345981
Assistant Attorney General
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706
(217) 299-8343
mallory.meade@ilag.gov

Dated: October 25, 2024