BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DYNEGY MIDWEST GENERATION, INC. (VERMILION POWER STATION),	)	
Petitioner,	)	
v.	)	**PCB 06- (Permit Appeal – Air -- Extension)**
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
Respondent.	)	

NOTICE OF FILING

To:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

Sally Carter, Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that we have today filed with the Office of the Clerk of the Pollution Control Board a Joint Request for Ninety-Day Extension of Appeal Period; the Appearances of Kathleen C. Bassi, Sheldon A. Zabel, Stephen J. Bonebrake, and Kavita M. Patel of Schiff Hardin, LLP; and, with her permission and at her request, the Appearance of Sally Carter of the Illinois Environmental Protection Agency, copies of which are herewith served upon you.

/s/ **Kathleen C. Bassi**
Kathleen C. Bassi

Dated: June 29, 2006

SCHIFF HARDIN LLP
Sheldon A. Zabel
Kathleen C. Bassi
Stephen J. Bonebrake
Kavita M. Patel
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
312-258-5567
FAX: 312-258-5600

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 29th day of June, 2006, I have served electronically the attached Joint Request for Ninety-Day Extension of Appeal Period; the Appearances of Kathleen C. Bassi, Sheldon A. Zabel, Stephen J. Bonebrake, and Kavita M. Patel of Schiff Hardin, LLP; and, with her permission and at her request, the Appearance of Sally Carter of the Illinois Environmental Protection Agency, upon the following persons:

Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

and electronically and by first-class mail with postage thereon fully prepaid and affixed to the following persons:

Sally Carter, Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276

/s/ **Kathleen C. Bassi**
Kathleen C. Bassi

SCHIFF HARDIN LLP
Sheldon A. Zabel
Kathleen C. Bassi
Stephen J. Bonebrake
Kavita M. Patel
6600 Sears Tower
233 South Wacker Drive
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312-258-5567
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DYNEGY MIDWEST GENERATION, INC. (VERMILION POWER STATION),	)	
Petitioner,	)	
v.	)	**PCB 06-**
	)	**(Permit Appeal – Air)**
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
Respondent.	)	

APPEARANCE

I, KATHLEEN C. BASSI, hereby file my appearance in this proceeding, on behalf of Dynegy Midwest Generation, Midwest Generation, LLC.

/s/ **Kathleen C. Bassi**

Kathleen C. Bassi
SCHIFF HARDIN LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
(312) 258-5567

Dated: June 29, 2006

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DYNEGY MIDWEST GENERATION, INC. (VERMILION POWER STATION),	)	
Petitioner,	)	
v.	)	**PCB 06-**
	)	**(Permit Appeal – Air)**
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
Respondent.	)	

APPEARANCE

I, SHELDON A. ZABEL, hereby file my appearance in this proceeding, on behalf of Dynegy Midwest Generation, Midwest Generation, LLC.

/s/ **Sheldon A. Zabel**

Sheldon A. Zabel
SCHIFF HARDIN LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
(312) 258-5540

Dated: June 29, 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DYNEGY MIDWEST GENERATION, INC. (VERMILION POWER STATION),	)	
Petitioner,	)	
v.	)	**PCB 06-**
	)	**(Permit Appeal – Air)**
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
Respondent.	)	

APPEARANCE

I, STEPHEN J. BONEBRAKE, hereby file my appearance in this proceeding, on behalf of Dynegy Midwest Generation, Midwest Generation, LLC.

/s/ **Stephen J. Bonebrake**

Stephen J. Bonebrake
SCHIFF HARDIN LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
(312) 258-5646

Dated: June 29, 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DYNEGY MIDWEST GENERATION, INC. (VERMILION POWER STATION),	)	
Petitioner,	)	
v.	)	**PCB 06-**
	)	**(Permit Appeal – Air)**
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
Respondent.	)	

APPEARANCE

I, KAVITA M. PATEL, hereby file my appearance in this proceeding, on behalf of Dynegy Midwest Generation, Midwest Generation, LLC.

/s/ **Kavita M. Patel**

Kavita M. Patel
SCHIFF HARDIN LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
(312) 258-5567

Dated: June 29, 2006

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DYNEGY MIDWEST GENERATION, INC. (VERMILLION POWER STATION)	)	
Petitioner,	)	
v.	)	**PCB 06-**
	)	**(Air – 90 Day Extension)**
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
Respondent.	)	

APPEARANCE

The undersigned, as one of its attorneys, hereby enters her APPEARANCE on behalf of Respondent, Illinois Environmental Protection Agency.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

_____/s/_____
Sally Carter
Assistant Counsel
Division of Legal Counsel

Date: June 28, 2006
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
217/782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DYNEGY MIDWEST GENERATION, INC. (VERMILION POWER STATION),	)	
Petitioner,	)	
v.	)	**PCB 06-**
	)	**(Permit Appeal – Air -- Extension)**
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
Respondent.	)	

JOINT REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD

Petitioner, DYNEGY MIDWEST GENERATION, INC., VERMILION POWER STATION ("Petitioner," "Vermilion," or "DMG"), by and through its attorneys, Schiff Hardin LLP, and the Respondent, Illinois Environmental Protection Agency ("Agency"), pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208(a), respectfully and jointly request that the Illinois Pollution Control Board ("Board") grant an extension of the 35-day period for filing petitions to appeal the Agency's issuance of a construction permit for 90 days, until October 3, 2006. In support of this Petition, the parties state as follows:

1. On May 30, 2006, the Agency issued a construction permit (received via facsimile) to DMG to permit the construction and operation of a baghouse and sorbent injection system for the Units 1 and 2 boilers owned and operated by DMG at the Vermilion Power Station. A copy of the permit is attached hereto and incorporated herein as Exhibit A. The deadline for filing an appeal of this permit is July 5, 2006.

2. The parties agree that additional time would be useful to continue negotiations and may eliminate the need to submit a permit appeal.

WHEREFORE, the parties respectfully and jointly request that the Board grant an extension of the period for filing an appeal of this permit until October 3, 2006.

Respectfully submitted,

DYNEGY MIDWEST GENERATION, INC. (VERMILION POWER STATION)

by:

/s/ **Kathleen C. Bassi**
One of Its Attorneys

Dated: June 29, 2006

SCHIFF HARDIN, LLP
Sheldon A. Zabel
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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

by:

/s/ **Sally Carter**
Sally Carter
Assistant Counsel

ILLINOIS ENVIRONMENTAL PROTECTION Agency
Sally Carter, Assistant Counsel
1021 North Grand Avenue, East
Springfield, Illinois 62794-9276
217-782-5544

217/782-2113

CONSTRUCTION PERMIT

PERMITTEE

Dynegy Midwest Generation, Inc
Attn: Rick Diericx
2828 North Monroe Street
Decatur, Illinois 62526

Application No.: 06030002 I.D. No.: 183814AAA
Applicant's Designation: Date Received: March 1, 2006
Subject: Baghouse and Sorbent Injection System for Units 1 and 2
Date Issued: May 30, 2006
Location: Vermilion Power Plant, Box 250, Country Road 2150, Oakwood

Permit is hereby granted to the above-designated Permittee to CONSTRUCT equipment consisting of a sorbent injection system and baghouse for the Unit 1 and 2 Boilers, as described in the above referenced application. This Permit is subject to standard conditions attached hereto and the following special condition(s):

1.1 Introduction

a. This Permit authorizes the Permittee to construct a baghouse and sorbent injection system to supplement the existing emission control systems on the two existing coal-fired boilers at its Vermilion Power Station. The new baghouse and sorbent injection system would serve both boilers and further process the flue gas from the existing electrostatic precipitator (ESP) on each boiler. In particular, the baghouse would be designed to allow the boilers to comply with an outlet emission rate for particulate matter (PM) of 0.030 lb/mmBtu, as measured by USEPA Method 5, as is required to be achieved by a Consent Decree that addresses this source (See Conditions 1(d) and 1.4). The new ductwork to accommodate these new control systems would include bypass ductwork, which would allow the exhaust from each boiler to bypass the baghouse as may be needed for startup and maintenance of the baghouse, and a booster fan, which would compensate for the additional pressure drop created by the baghouse and additional ductwork.

b. i. This permit is issued based on this project being an emissions control project, whose purpose and effect will be to reduce emissions of particulate matter (PM) from the existing boilers and which will not increase emissions of PSD pollutants other than PM. As such, the terms and conditions of the existing permits will continue to govern emissions and operation of the boilers except as specifically indicated.

ii. This permit is issued based on the receiving, storage and handling of sorbent for the new sorbent injection system qualifying as an insignificant activity, with annual emissions of PM in the absence of control equipment that would be no more than 0.44 tons, so that this activity need not be addressed by this permit. This does affect the Permittee's obligation to comply with all applicable requirements that apply to the receiving, storage and handling of sorbent.

c. This permit does not authorize any modifications to the existing boilers or generating units, which would increase capacity or potential emissions.

d. This permit does not affect requirements for the affected boilers established by the Consent Decree in United States of America and the State of Illinois, American Bottom Conservancy, Health and *Environmental* Justice-St. Louis, Inc., Illinois Stewardship Alliance, and Prairie Rivers Network, v. Illinois Power Company and Dynegy Midwest Generation Inc., Civil Action No. 99-833-MJR, U.S. District Court, Southern District of Illinois (Decree), certain provisions of which are referenced by this permit.*

* Electronic links to a copy of the Decree, as initially entered by the Court on May 27, 2005 are provided for convenience in Attachment 1 of this permit.

Note: This permit does not address whether this project will qualify as a Supplemental Environmental Project (SEP) for control of mercury emissions from the boilers under the Consent Decree as this is a matter for the parties to the Consent Decree to determine. This permit also does not address Paragraph 88 of the Consent Decree, as the parties to the Decree have agreed to modify the Decree to delete Paragraph 88 in its entirety.

1.2 Applicability Provisions

a. The "affected boilers" for the purpose of these unit-specific conditions are the two existing coal-fired boiler at this source after the initial startup of the baghouse, as described in Condition 1.1.

b. For purposes of certain conditions related to the Consent Decree, each affected boiler is also part of a "Unit" as defined by Paragraph 50 of the Decree, which defines a "Unit" to mean collectively, the boiler that produce steam for the steam turbine (i.e., an affected boiler), the coal pulverizer, stationary equipment that feeds coal to the boiler, the steam turbine, the generator, the equipment necessary to operate the generator, steam turbine and boiler, and all ancillary equipment, including pollution control equipment.

1.3 Applicable Emission Standards for the Affected Boilers

a. i. The affected boilers shall comply with applicable emission standards under Title 35, Subtitle B, Chapter I, Subchapter c of the Illinois Administrative Code, as addressed in existing permits for the affected boilers.

ii. When both affected boilers are exhausted through the common baghouse, the PM emissions of the affected boilers shall comply with 35 IAC 212.202, which limits PM emissions to no more than 0.10 lb/mmBtu of actual heat input in any one hour period.

Note: This permit does not affect requirements contained in the existing CAAPP permit for the source that would accompany the Permittee's reliance upon 35 IAC 212.123(b) for the affected boilers, which would allow opacity greater than 30 percent (6-minute average) from the affected boilers in certain circumstances.

b. This permit does not affect the authorizations in existing operating permits, pursuant to 35 IAC 201.149, 201.161 and 201.262, that allow the Permittee:

i. To operate an affected boiler in violation of certain state emission standards during startup of the boiler or the terms and conditions that accompanied such authorization.

ii. To continue to operate an affected boiler in violation of certain state emission standards during malfunction or breakdown of the boiler, including control devices and ancillary systems, or the terms and conditions that accompanied such authorization.

1.4 PM Emission Rate under the Consent Decree

The PM emission rate of each affected boiler shall be no greater than the limit specified in Paragraph 86 of the Decree, i.e., 0.030 lb/mmBtu, by the date specified in Paragraph 86, i.e., no later than December 31, 2010. Emission testing conducted to determine compliance with these limits shall use methods and procedures as specified in Paragraph 90 of the Decree, (which, among other matters, specifies use of USEPA Reference Method 5 or an alternative method approved by USEPA and the State of Illinois for such measurements).

Note: The PM emission rate for the affected boiler pursuant to the Decree, when it takes effect, will be more stringent than the applicable state emission standard(s) for PM.

1.5 Compliance Assurance Monitoring for PM

If the Permittee applies for a significant modification of the CAAPP Permit for the source to include the new baghouse, the Permittee shall submit a plan for monitoring to address the PM emissions from each affected boiler in accordance with 40 CFR Part 64, Compliance Assurance Monitoring, as provided by 40 CFR 64.5(a)(2)

1.6 Work Practices and Operational Requirements

a. The Permittee shall operate and maintain each PM control device on each affected boiler in accordance with Paragraphs 83 and 87 of the Decree (which generally require that these devices be operated to maximize PM emission reductions at all times when the Unit is in operation to the extent reasonably practicable and specify certain minimum operating and maintenance practices that the Permittee must implement for this purpose).

b. The Permittee shall operate and maintain the ESP on each affected boiler in accordance with Paragraph 84 of the Decree (which requires that the Permittee implement the practices recommended by the PM Emission Control Optimization Studies performed in or other alternative actions approved by USEPA in accordance with Paragraph 84 of the Decree), unless the criterion in Paragraph 87 of the Decree that lift this requirement have been satisfied.

c. The Permittee shall operate and maintain each affected boiler and Unit, and associated PM control equipment in accordance with the PM control plan maintained by the Permittee pursuant to Condition 1.9-2(b)(ii)(A).

1.7 Testing Requirements

a. i. Within 180 days after initial startup of an affected boiler with the baghouse, the Permittee shall have measurements conducted for the PM emissions of the affected boilers with control provided by the baghouse, as follows.

ii. The Permittee shall also have measurements conducted for the PM emissions from the affected boilers within 90 days (or such later date set by the Illinois EPA) following a request by the Illinois EPA for such measurements.

b. i. These measurements shall be performed in the maximum operating range of the affected boilers and otherwise under representative operating conditions.

ii. A. The methods and procedures used for PM testing to determine compliance with the applicable PM emission standards and limitation shall be in accordance with Paragraph 90 of the Decree.

B. In conjunction with such measurements, measurements of condensable PM shall also be conducted by USEPA Method 202 (40 CFR Part 51, Appendix M) or other established test method approved by the Illinois EPA.

c. Except for minor deviations in test methods, as defined by 35 IAC 283.130, emission testing shall be conducted in accordance with a test plan prepared by the testing service or the Permittee and submitted to the Illinois EPA for review prior to emission testing, and the conditions, if any, imposed by the Illinois EPA as part of its review and approval of the test plan, pursuant to 35 IAC 283.220 and 283.230. The Permittee shall submit this test plan at least 60 days prior to the actual date of testing.

d. The Permittee shall notify the Illinois EPA prior to conducting emission tests to enable the Illinois EPA to observe testing. Notification for the expected test date shall be submitted a minimum of 30 days prior to the expected date of testing. Notification of the actual date and expected time of testing shall be submitted a minimum of 5 working days prior to the actual test date. The Illinois EPA may on a case-by case basis accept shorter advance notice if it would not interfere with the Illinois EPA's ability to observe testing.

e. The Permittee shall submit the Final Report(s) for this emission testing to the Illinois EPA within 45 days of completion of testing, which report(s) shall include the following information:

i. The name and identification of the affected unit(s) and the results of the tests.

ii. The name of the company that performed the tests

iii. The name of any relevant observers present including the testing company's representatives, any Illinois EPA or USEPA representatives, and the representatives of the Permittee.

iv. The date and time of measurements

v. Description of test method(s), including description of sampling points, sampling train, analysis equipment, and test schedule, including a description of any minor deviations from the test plan, as provided by 35 IAC 283.230(a).

vi. Detailed description of operating conditions during testing, including:

A. Source(s) of fuel and specifications (ash, sulfur and heat content).

B. Operating information for the affected boilers, i.e., firing rate of each boiler (million Btu/hr) and composition of fuel as burned (ash, sulfur and heat content).

C. Combustion system information, i.e., settings for distribution of primary and secondary combustion air, target level for O_2 in the flue gas, and levels of CO, CO, or O_2 in the flue gas, as determined by any diagnostic measurements.

D. Control equipment information, i.e., equipment condition and operating parameters during testing, including any use of the flue gas conditioning system.

E. Load during testing (gross megawatt output and steam flow).

vii. Data and calculations, including copies of all raw data sheets and records of laboratory analyses, sample calculations, and data on equipment calibration.

viii. The SO,, NO,, O_2 or CO,, (hourly averages) and opacity data (6-minute averages) measured during testing.

Note: This permit does not affect the requirements for emission testing contained in the existing permits for the source. It also does not address requirements under the Decree that may be applicable to PM emission tests.

1.8 Monitoring Requirements

a. The Permittee shall install, operate, calibrate and maintain continuous monitoring equipment for the bypass ductwork to indicate operation of a boiler with flue gas flow bypassing the baghouse through the bypass ductwork.

b. The Permittee shall install, operate, calibrate and maintain continuous monitoring equipment to measure the following operating parameters of the baghouse:

i. The temperature of the flue gas at the inlet of the baghouse (hourly average).

ii. The pressure drop across the baghouse (hourly average)

c. The Permittee shall install, operate, calibrate and maintain continuous monitoring equipment to measure the following operating parameters of the sorbent injection system:

i. Operation, i.e., injection of sorbent

ii. If sorbent feed rate is either automatically or remotely adjusted, sorbent feed rate, in pound or cubic foot per unit of operation of the boilers, e.g., pound or cubic foot per million actual cubic feet of exhaust, million Btu of heat input to the boilers, or MW-hr output from the boilers.

Note: This permit does not affect the requirements for operational monitoring contained in the existing permits for the source.

1.9-1 Recordkeeping Requirements for the Affected Boilers

The Permittee shall sample and analyze samples of the coal supply to the affected boilers for mercury and chlorine content so as to have representative data for the mercury and chlorine content of the coal supply to the boilers to accompany mercury emission data collected for the affected boilers. (See also Condition 1.9.1) This sampling and analysis shall be conducted using appropriate ASTM Methods or other methods developed, approved or endorsed by USEPA.

Note: This permit does not affect the recordkeeping requirements in the existing permits for the source.

1.9-2 Records for Control Devices and Control Equipment

The Permittee shall maintain the following records for the new baghouse and sorbent injection system on the affected boilers:

a. i. Logs for the Baghouse

A. An operating log or other records for the baghouse that, at a minimum: (1) Identifies the trigger for bag cleaning, e.g., manual, timer, or pressure drop; (2) Identifies each period when a Unit was in operation and the baghouse was not being operated or was not operating effectively; (3) Identifies each period when any baghouse module(s) were removed from regular service, with identification of the module(s) and explanation; and (4) Specifically documents the implementation of the operating procedures related to the baghouse that are required to be or are otherwise implemented pursuant to Conditions 1.6(a) and (c).

B. Maintenance and repair log or other records for the baghouse that, at a minimum: (1) List the activities performed, with date and description, and (2) Specifically document the maintenance and repair activities related to the baghouse that are required to be or are otherwise performed pursuant to Conditions 1.6(a) and (c).

ii. Logs for the Sorbent Injection System

A. An operating log or other records for the system that, at a minimum, identify the sorbent that is being used, target sorbent injection rate(s) and each period of time when an affected boiler was in operation and the system was also being operated.

B. Maintenance and repair log or other records for the system that, at a minimum, list the activities performed, with date and description.

b. PM Emission Control Planning

i. The following records related to the procedures and practices for control of PM emissions from the affected boilers:

A. A record, which shall be kept up to date, identifying the specific operating procedures and maintenance practices (including procedures and practices specifically related to startups and malfunction/breakdown incidents) currently being implemented by the Permittee for each affected boiler and Unit and associated PM control equipment to satisfy Conditions 1.6(a) and (c). These procedures and practices are referred to as the "PM Control Plan" in this permit.

B. Accompanying this record, the Permittee shall maintain a demonstration showing that the above PM Control Plan fulfills the requirements of Conditions 1.6(a) and (b), as applicable.

ii. Copies of the records required by Conditions 1.9-2(b)(i) shall be submitted to the Illinois EPA upon request.

iii. Accompanying the records required by Conditions 1.9-2(b)(i), a file containing a copy of all correspondence and other written material exchanged with USEPA that addresses the procedures and practices that must be implemented pursuant to Paragraph 56 and Paragraphs 83, 84 and 87 of the Decree. This file shall be retained for at least three years after the permanent shutdown of both affected Units.

c. Specific Records for the Sorbent Injection System

i. Usage of sorbent (lbs/month) and average sorbent injection rates (lbs/Unit operation).

ii. The setting for sorbent feed rate, if not monitored pursuant to Condition 1.8(c)(ii).

Note: This permit does not affect the recordkeeping requirements for the existing electrostatic precipitators and associated flue gas conditioning systems that are contained in the existing permits for the source.

1.9-3 Records for Continuous Monitoring Systems

a. The Permittee shall maintain operating records for the continuous monitoring systems required by Condition 1.8 that, at a minimum, include:

i. Measured data.

ii. Performance evaluations and other quality assurance/control activities, including calibration checks and maintenance and adjustment performed.

iii. Periods other than performance of routine quality assurance, calibration, and maintenance, as addressed above, when the monitor was inoperative, with reason.

iv. Quarterly reports submitted in accordance with Condition 7.1.10-2(a).

Note: This permit does not affect the recordkeeping requirements for the continuous opacity monitoring systems on the affected boilers that are contained in the existing permits for the source.

1.9-4 Other Recordkeeping Requirements

a. Summary Records Related to the PM Control Plan

The Permittee shall maintain the following records for each incident when applicable action(s) required pursuant to the PM Control Plan were not taken for affected boiler(s) or Unit(s):

i. The date of the incident

ii. A description of the incident, including the required action(s) that were not taken; other actions or mitigation measures that were taken, if any; and the likely consequences of the incidents as related to emissions.

iii The time at and means by which the incident was identified.

iv. The length of time after the incident was identified before required action(s) were taken or were no longer required and an explanation why this time was not shorter, including a discussion of the timing of any mitigation measures that were taken for the incident.

v. The estimated total duration of the incident, i.e., the total length of time that the affected boiler ran without the required action(s) being taken.

vi. A discussion of the probable cause of the incident and any preventative measures taken.

vii. A discussion whether any applicable PM emission standards or limits, as listed in Condition 1.3, 1.4 or **1.6,** may have been violated, either during or as a result of the incident, with supporting explanation.

b. Records Related to Mercury Emissions

The Permittee shall maintain the following records related to operation of the sorbent injection system and mercury emissions:

i. Records of emission data for mercury collected for the affected boilers by the Permittee, including emissions (micrograms per cubic meter, pounds per hour, and pounds per million Btu) and control efficiency for each mode of operation of the boilers and sorbent injection system, with identification and description of the various modes of operations.

ii. A copy of any formal report(s) that are prepared for evaluation(s) of operation of the sorbent injection system that include: (1) a description of the evaluation, (2) technical data gathered during the evaluation, including data for the elemental composition and heat content of the coal supply to the boilers, boiler operating rates, loss on ignition, (i.e., carbon carry over in ash), sorbent injection rates, flue gas temperatures, mercury emissions, measured mercury concentrations in the flue gas, SO, and NO, emissions monitored during the period of evaluation, and any determinations of mercury control efficiency or oxidation rates, and (3) a description of the analytical methodology by which measurements were conducted.

1.10-1 Reporting Requirements – Reporting of Deviations

a. Prompt Reporting of Deviations

For each affected boiler, the Permittee shall promptly notify the Illinois EPA of deviations from permit requirements as follows. At a minimum, these notifications shall include a description of such deviations, including whether they occurred during startup or malfunction/breakdown, and a discussion of the possible cause of such deviations, any corrective actions and any preventative measures taken.

i. Immediate notification for bypass of the baghouse other than during startup or shutdown of the boiler.

ii. Notification with the quarterly reports required by Condition 1.10-2(a) for deviations not addressed above, including deviations from other applicable requirements, e.g., work practice requirements, required operating procedures, required maintenance practices, and recordkeeping requirements.

b. Periodic Reporting of Deviations

The quarterly reports required by Condition 1.10-2(a) shall include the following information for the affected boilers related to deviations from permit requirements during the quarter.

i. A listing of all instances of deviations that have been reported in writing to the Illinois EPA as provided by Condition 1.10-1(a)(i), including identification of each such written notification or report. For this purpose, the Permittee need not resubmit copies of these previous notifications or reports but may elect to supplement such material.

ii. Detailed information, as required by Condition 1.10-1(a)(ii), for all other deviations.

Note: This permit does not affect the requirements for reporting of deviations contained in the existing permits for the source.

1.10-2 Reporting Requirements – Periodic Reporting

a. Quarterly Reports

The Permittee shall submit quarterly reports to the Illinois EPA.

i. These reports shall include a summary of information recorded during the quarter pursuant to Conditions 1.9-4(a) and (b).

ii. These reports shall include the information for the affected boiler related to deviations during the quarter specified by Condition 1.10-1(b).

iii. These reports shall be submitted within 45 days after the end of each calendar quarter. For example, the quarterly report for the first quarter, i.e., January, February and March, shall be submitted by May 15.

Note: This permit does not affect the requirements for quarterly reporting contained in the existing permits for the source.

1.11 Authorization for Operation

The Permittee may operate the affected boilers with the new baghouse and sorbent injection system under this construction permit until such time as final action is taken to address these devices in the CAAPP permit for the source provided that the Permittee submits an appropriate application for CAAPP permit, which incorporates new requirements established by this permit within one year (365 days) of beginning operations of the affected boilers with either of these new control devices.

If you have any questions concerning this permit, please contact Xunj Patel or Christopher Romaine at 217/782-2113.

ORIGINAL PERMIT SIGNED BY CHIRISTOPHER ROMAINE FOR DONALD E. SUTTON

Donald E. Sutton, P.E.
Manager, Permit Section
Division of Air Pollution Control

DES:CPR:psj

cc: Region 3

Attachment 1

Electronic links to the Consent Decree in United States of America and the State of Illinois, American Bottom Conservancy, Health and Environmental Justice-St. Louis, Inc., Illinois Stewardship Alliance, and Prairie Rivers Network, v. Illinois Power Company and Dynegy Midwest Generation Inc., Civil Action No. 99-833-MJR, U.S. District Court, Southern District of Illinois, as initially entered by the Court on May 27, **2005** (Decree)

This Consent Decree is available at either:

http://yosemite.epa.gov/r5/il_permt.nsf/1187a64140e3f8ad862568b700763ce9/603884da715c88a585256f88005067f4!OpenDocument

or at http://www.epa.gov/region5/air/permits/ilonline.htm
(under Title V Permit Records, look for Dynegy, Baldwin plant.)

This Consent Decree can also be found at the following US District Court's website:

http://www.ilsd.uscourts.gov/Forms/dmgfinal-cd.pdf

CPR:psj