

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>In the Matter of:</b>	)	
	)	
<b>SIERRA CLUB, ENVIRONMENTAL</b>	)	
<b>LAW AND POLICY CENTER,</b>	)	
<b>PRAIRIE RIVERS NETWORK, and</b>	)	
<b>CITIZENS AGAINST RUINING THE</b>	)	
<b>ENVIRONMENT</b>	)	
	)	<b>PCB 2013-015</b>
<b>Complainants,</b>	)	<b>(Enforcement – Water)</b>
	)	
<b>v.</b>	)	
	)	
<b>MIDWEST GENERATION, LLC,</b>	)	
	)	
<b>Respondent.</b>	)	

**NOTICE OF FILING**

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

Attached Service List

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board Respondent, Midwest Generation LLC’s Witness Specific Exhibit List and Response to Complainants’ Witness Specific Exhibit List, a copy of which is herewith served upon you.

MIDWEST GENERATION, LLC

By: /s/ Jennifer T. Nijman

Dated: October 13, 2017

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 Kristen L. Gale  
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**SERVICE LIST**

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**CERTIFICATE OF SERVICE**

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Respondent, Midwest Generation LLC's Witness Specific Exhibit List and Response to Complainants' Witness Specific Exhibit List was filed electronically on October 13, 2017 with the following:

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

and that true copies were emailed on October 13, 2017 to the parties listed on the foregoing Service List.

/s/ Jennifer T. Nijman

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<b>SIERRA CLUB, ENVIRONMENTAL</b>	)	
<b>LAW AND POLICY CENTER,</b>	)	
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	)	<b>PCB 2013-015</b>
<b>Complainants,</b>	)	<b>(Enforcement – Water)</b>
	)	
<b>v.</b>	)	
	)	
<b>MIDWEST GENERATION, LLC,</b>	)	
	)	
<b>Respondent.</b>	)	

**MIDWEST GENERATION LLC’S WITNESS SPECIFIC EXHIBIT LIST AND  
RESPONSE TO COMPLAINANTS’ WITNESS SPECIFIC EXHIBIT LIST**

Pursuant to the Hearing Officer August 31, 2017 Order, Midwest Generation, LLC (“MWG”) submits its witness specific exhibit list and its position on the authentication of Complainants’ proposed exhibits for each witness. Because Complainants elected not to call two of the witnesses that Complainants had previously identified, MWG also supplements its witness list below. Additionally, MWG submits its objections to Complainants’ exhibit list and witness specific list.

**I. MWG’s Supplemental Witnesses**

MWG will conduct the direct of Christopher Lux and Rebecca Maddox following Complainants’ calling of those witnesses. MWG expects to call the following witnesses in this order: Maria Race, Mark Kelly, Fredrick Veenbaas, Richard Gnat, and John Seymour. MWG reserves the right to withdraw witnesses or reorder the witnesses depending upon availability. Additionally, MWG reserves the right to recall witnesses at the completion of Complaints’ case-in-chief for the purpose of rebuttal.

**II. Objections**

MWG makes the following objections to Complainants' Exhibit List filed with their Pre-Trial Memorandum and Complainant's Witness Specific Exhibit List:

1) Complainants failed to follow the Hearing Officer August 31, 2017 Order. In that Order, Complainants were to file their witness-specific exhibit list on or before October 6, 2017. The purpose of including a witness for each exhibit listed by a party is to reduce the number of exhibits (understanding that many would not be used), allow the Board and the parties to assess authenticity and admissibility, and allow the parties to begin numbering and organizing for the hearing. The Witness Specific Exhibit List filed by Complainants does not identify a witness for approximately 114 of the 253 exhibits identified in Complainants' Exhibit List (not including the numerous groundwater monitoring reports listed as exhibits). For instance, Complainants did not include any exhibits for their expert, although Complainants have since informed Respondents that they intend to do so.

2) MWG objects to the admission of the entire transcript of any witness's deposition. Ill. S. Ct. R. 212. MWG further objects to the admission of any deposition, or excerpt of a deposition, of any person not identified as a witness in the hearing.

3) MWG objects to Complainants bundling of unique documents into one exhibit.

4) MWG objects to the admission of all of the groundwater monitoring reports because it is duplicative and a "needless presentation of cumulative evidence" in violation of Illinois Rule of Evidence 403. Many of the later groundwater monitoring reports include data from the earlier reports and need not be repeated. Respondents have requested that Complainants consider reassessing this issue.

5) MWG objects to the admission of the groundwater monitoring reports which contain transcription errors that were later amended.

6) MWG objects to the duplication of the groundwater monitoring reports on Complainants' Exhibit List and Witness Specific Exhibit. Complainants identify the groundwater monitoring reports produced by MWG and the same reports produced by Complainants.

**III. MWG's Position On the Authentication of Complainants' Proposed Witness Specific List**

MWG agrees that the following listed documents are authentic in that they are what Complainants purport them to be. MWG does not agree to the authentication of any document not identified below. MWG does not agree that any of the following documents are relevant, material or otherwise admissible. 35 IAC 101.626(a), Ill. R. of Evid. 402, 403.

- a. MWG agrees to the authentication of the following documents identified by Complainants for Richard Gnat, subject to the objections stated herein.

<b><u>Bates Number</u></b>	<b><u>Description of Richard Gnat Documents as Identified by Complainants</u></b>
MWG13-15_594-598	Midwest Generation, Compliance Commitment Agreement-Well Installation Documentation, Waukegan Station, (Jan 15, 2013)
MWG13-15_7362-7362	KPRG, Figure 1: Agreed Upon Monitoring Well Location, Powerton, (Dec. 12, 2012)
MWG13-15_11233-11237	Letter from Richard Gnat to Lynn Dunaway, IEPA, Powerton Generating Station (Sept. 11, 2013)
MWG13-15_12827-12845	Letter from Richard Gnat, Principal, KPRG and Associates, Inc. to Maria Race, re Liner Inspection-West and East Ash Pond at Waukegan Generation Station (Aug. 31, 2005)
MWG13-15_13087-13239	MWG agrees to authenticate the KPRG, Phase II Environmental Site Investigation of 525 E. 135 <sup>th</sup> Street, dated (Sept. 30, 2009), not the document described by Complainants as the "Phase II Environmental Site Investigation of Will County Station." <i>Non-Disclosable Information</i>
MWG13-15_14522-14544	Waukegan Station New Wells and ELUC Information
MWG13-15_14744-14747	Midland Standard Engineering & Testing, Inc., Laboratory Testing Services-Will County station (Aug. 22, 2012)
MWG13-15_18824-19071	KPRG, Coal Ash and Slag Removal Documentation

<u>Bates Number</u>	<u>Description of Richard Gnat Documents as Identified by Complainants</u>
MWG13-15_19067-19428	KPRG, Joliet #29 Ash Berm Removal Summary (Sept. 20, 2007)
MWG13-15_19430-19441	KPRG, Joliet #29 Former Ash Burial Area Runoff Erosion Repair Documentation, (Sept. 26, 2009)
MWG13-15_19442-19452	KPRG, Joliet #29 Former Ash Burial Area Runoff Inspection 2009, (Aug. 27, 2009)
MWG13-15_19455-19468	KPRG, Joliet #29 Former Ash Burial Area Runoff Inspection and Erosion Repair Documentation, (2010)
MWG13-15_19470-19473	KPRG, Joliet #29 Former Ash Burial Area Runoff Inspection 2012, (Sept. 19, 2012)
MWG13-15_19474-19481	KPRG, Joliet #29 Former Ash Burial Area Runoff Erosion Repair, (Sept. 26, 2012)
MWG13-15_19483	KPRG, Joliet #29 Former Ash Burial Area Runoff Inspection 2013, (Aug. 21, 2013)
MWG13-15_19485-19668	KPRG, Joliet CCB Determination Support, (July 25, 2005)
MWG13-15_24264-24386	Letter from Richard Gnat, KPRG, to Maria Race re: Geotechnical Analysis of Soil Surrounding Settling Basins/Ponds (10/13/2005).
MWG13-15_24387-24392	Letter from Richard Gnat, KPRG, to Maria Race re: Re-Issuance of Figure 4-1 for Geotechnical Summary Report (Oct. 25, 2005).
MWG13-15_43868-43869	MWG does not object to the authenticity of the Richard Gnat curriculum vitae as used as of the date thereof.
MWG13-15_44147	Letter from Richard Gnat to Peter O'Day, Ash Burial Runoff Inspection (Aug. 28, 2014)
MWG13-15_44148-44152	Letter from Richard Gnat to James DiCola, Erosion Repair Documentation (Sept. 22, 2011)
MWG13-15_44153-44155	Letter from Richard Gnat to James DiCola, Inspection Summary Letter Aug. 22, 2011)
MWG13-15_44557	Email from James DiCola to Richard Gnat re Ash Burial Area (Sept. 15, 2010)
MWG13-15_44983- 45167	NRG Energy, Annual and Quarterly Groundwater Monitoring Results – Fourth Quarter 2014 Joliet #29 Generating Station – Ash Impoundment (Jan. 6, 2015)
MWG13-15_45168 -45327	NRG Energy, Quarterly Groundwater Monitoring Results – Fourth Quarter 2014/Annual Report, Powerton Generating Station – Ash Impoundments (Jan. 22, 2015)
MWG13-15_45328 - 45416	NRG Energy, Annual and Quarterly Groundwater Monitoring Results – Fourth Quarter 2014 Waukegan Generating Station – Ash Impoundments (Jan. 22, 2015)
MWG13-15_45417-45510	NRG Energy, Quarterly Groundwater Monitoring Results – Fourth Quarter 2014, Will County Generating Station – Ash Impoundments (Jan. 23, 2015)
MWG13-15_45512	KPRG, Aerial Distribution of Groundwater Sampling Results (Oct. 6, 2014)

<u>Bates Number</u>	<u>Description of Richard Gnat Documents as Identified by Complainants</u>
MWG13-15_45648-45649	KPRG Boring Logs for MWs 8 and 9, Waukegan, (April 29, 2014)
MWG13-15_48644	KPRG 1974 Aerial Photo of Waukegan Station
MWG13-15_49565-49652	KPRG, CCB Determination Support, Midwest Generation Will County Station (Sept. 8, 2015)
MWG13-15_58155 -58291	Annual and Quarterly Groundwater Monitoring Report - Powerton Generating Station, 4th Quarter 2016 (Jan. 13, 2017)
MWG13-15_58292 -58388	Annual and Quarterly Groundwater Monitoring Report - Joliet #29 Generating Station, 4th Quarter 2016 (Jan. 13, 2017)
MWG13-15_58389 - 58489	Annual and Quarterly Groundwater Monitoring Report - Will County Generating Station, 4th Quarter 2016 (Jan. 13, 2017)
MWG13-15_58490 -58582	Annual and Quarterly Groundwater Monitoring Report - Waukegan Generating Station, 4th Quarter 2016 (Jan. 19, 2017)
MWG13-15_61411-61552	MWG objects to the identifying Maria Race as to the authentication of the Waukegan ELUC data. MWG does not object to the authentication of the Waukegan ELUC data by Richard Gnat.

b. MWG agrees to the authentication of the following documents identified by Complainants for Christopher Lux, subject to the objections stated herein.

<u>Bates Number</u>	<u>Description of Christopher Lux Documents as Identified by Complainants</u>
MWG13-15_22014-22018	Email Exchange Re "Powerton Secondary Ash Basin Relining" (Mar. 27, 2013)
MWG13-15_22020	Email Exchange Re Ground Water Issues (Mar. 27, 2013)
MWG13-15_22023-22023	Email from William Gaynor to Amy Hanrahan and others, 4/9/2013
MWG13-15_22765-22766	Email from William Gaynor to Charles J Hart and others, 9/24/2013.
MWG13-15_22846-22849	Email from William Gaynor to Christopher Lux, 3/8/2013.
MWG13-15_24221-24231	Letter from Valdes Engineering to Chris Lux, re: Waukegan Ash Pond Berm Visual Inspection (6/12/14).
MWG13-15_28031-28034	Email from Terry Kosmatka to Christopher Lux and other, 9/13/2013.
MWG13-15_44588-44589	Email about Ash Dumping on Station Property, (Sept. 12, 2014)
MWG13-15_49272-49285	Letter from Michael Smith to Christopher Lux (May 29, 2015)
MWG13-15_49286-49292	Email Exchange Re: NRG Waukegan Station West & East Ash Pond Liner Repairs (Mar. 21, 2015)



Electronic Filing: Received, Clerk's Office 10/13/2017

c. MWG agrees to the authentication of the following documents identified by Complainants for Rebecca Maddox, subject to the objections stated herein.

<b><u>Bates Number</u></b>	<b><u>Description of Rebecca Maddox Documents as Identified by Complainants</u></b>
MWG13-15_13774	Email Exchange Re "Ash Pond #3"
MWG13-15_14177-14181	Email Exchange Re "3S Ash Pond Liner Damage-Will County"
MWG13-15_27001	Email from Jeffrey Beaudry to Aron Yakima and others, 7/17/2013
MWG13-15_27130-27136	Email Exchange Re: Leak Location Survey for 2S Pond at MWGen - Will County
MWG13-15_28849-28851	Fax from Tedd Mills, Brieser Construction, to Beckie Maddox, 10/19/2009.
MWG13-15_28862-28863	Stormwater Construction Site Inspection Report signed by Beckie Maddox, 10/1/2009.
MWG13-15_29589-29590	Letter from Donald Claybaugh to IEPA re: "IEMA incident" at Will County (12/11/2008)
MWG13-15_44969-44973	Email from Brad Castle to Rebecca Maddox , Fred Veenbaas (May 23, 2012)
MWG13-15_44979	Email from Rebecca Maddox to Margaret Ruane (May 29, 2012)
MWG13-15_48568-48569	Email from Raymond Wolan to Rebecca Maddox and Daryl Miller (July 28, 2010)
MWG13-15_48586	Email from Rebecca Maddox to John Shields and Black Connolly (July 28, 2010)
MWG13-15_48612	Email from Rebecca Maddox to Christopher Lux (Sept. 3, 2008)

d. MWG agrees to the authentication of the following documents identified by Complainants for Maria Race, subject to the objections stated herein.

<b><u>Bates Number</u></b>	<b><u>Description of Maria Race Documents as Identified by Complainants</u></b>
Comp. 53740-53740	Geosyntec, Notification of Intent to Initiate Closure of the Former Ash Basin, Powerton (Dec. 17, 2015)
MWG13-15_328-332	Illinois Environmental Protection Agency, Violation Notice: Midwest Generation, LLC, Waukegan Generating Station, (June 11, 2012)
MWG13-15_333-341	Illinois Environmental Protection Agency, Violation Notice: Midwest Generation, LLC, Will County Generating Station, (June 11, 2012)
MWG13-15_342-347	Illinois Environmental Protection Agency, Violation Notice: Midwest Generation, LLC, Joliet #29 Generating Station, (June 11, 2012)
MWG13-15_348-358	Illinois Environmental Protection Agency, Violation Notice: Midwest Generation, LLC, Powerton Generating Station, (June 11, 2012)
MWG13-15_364-383	Letter from Susan M. Franzetti, Counsel for Midwest Generation, LLC, to Andrea Rhodes, Illinois Environmental Protection Agency, Re: Violation Notice --MWG response to the Joliet NOV, Jul. 27, 2012

<b>Bates Number</b>	<b>Description of Maria Race Documents as Identified by Complainants</b>
MWG13-15_384-406	Letter from Susan M. Franzetti, Counsel for Midwest Generation, LLC, to Andrea Rhodes, Illinois Environmental Protection Agency, Re: Violation Notice 6282--MWG response to Powerton NOV, Jul. 27, 2012
MWG13-15_407-420	Waukegan Response to the Violation Notice
MWG13-15_421-437	Letter from Susan M. Franzetti, Counsel for Midwest Generation, LLC, to Andrea Rhodes, Illinois Environmental Protection Agency, Re: Violation Notice --MWG response to the Will County NOV, Jul. 27, 2012
MWG13-15_821-2458	United States Environmental Protection Agency, Questionnaire for the Steam Electric Power Generation Effluent Guidelines, (2010) <i>Non-Disclosable Information</i>
MWG13-15_3253-3644	ENSR Consulting, Phase II Environmental Site Assessment of the ComEd Powerton Generating Station, Route 29 & Mantino Road, Pekin, Illinois, (1998) (as an ancient document)
MWG13-15_5699-6039	ENSR Consulting, Phase II Environmental Site Assessment of the ComEd Will County Generating Station, (1998) (as an ancient document)
MWG13-15_6964-7080	Patrick Engineering, Joliet Hydrogeologic Assessment Report, (Feb. 2011)
MWG13-15_7081-7147	Patrick Engineering, Powerton Hydrogeologic Assessment Report, (Feb. 2011)
MWG13-15_7148-7229	Patrick Engineering, Waukegan County Hydrogeologic Assessment Report, (Feb. 2011)
MWG13-15_7230-7340	Patrick Engineering, Will County Hydrogeologic Assessment Report, (Feb. 2011)
MWG13-15_8502- 8536	ENSR, Phase I Environmental Site Assessment of the ComEd Powerton Generating Station, (1998) (as an ancient document)
MWG13-15_9668-9731	Midwest Generation, Application for Permit or Construction Approval, Secondary Ash Settling Basin Liner Replacement -- Powerton Station, (Dec. 22, 2009)
MWG13-15_10640-10658	Patrick Engineering, Monitoring Well Completion Reports for Powerton Ash Pond Assessments, (October 20, 2010)
MWG13-15_10759-10771	Patrick Engineering, Proposal for Ash Pond Investigation, (Aug. 18, 2010)
MWG13-15_11966-12040	MWG objects to the duplicated document identified by Complainants. MWG can authenticate the ENSR, Phase I Environmental Site Assessment of the ComEd Waukegan Generating Station, (Oct. 1998) which starts at MWG13-15_12003 through MWG13-15_12040. (as an ancient document)
MWG13-15_12846-12849	MWG objects to the duplicated document identified by Complainants. MWG can authenticate the North Antelope Mine Coal Specifications located at MWG13-15_12847, NDI

<b>Bates Number</b>	<b>Description of Maria Race Documents as Identified by Complainants</b>
MWG13-15_13734-13736	Email from Eric J. Tlachac to Maria Race (Oct. 24, 2007)
MWG13-15_13737-13742	Email Exchange Re "Will County South Ash Pond Liner Design Status"
MWG13-15_13746	Email from Jeffrey Shuh to Maria Race
MWG13-15_14096-14101	Email Exchange Re "Data tables for Ash Pond Investigations"
MWG13-15_14157-14173	Email from Richard Frenndt to Maria Race (Feb. 10, 2012)
MWG13-15_14225-14269	Email from Richard Frenndt to Maria Race Aug. 9, 2012)
MWG13-15_14783-14785	Email from Xinying Wang to Richard Gnat (July 25, 2012)
MWG13-15_15199-15238	MWG objects to the authentication of this copy of the Letter from Susan Franzetti, Counsel for Midwest Generation, Nijman Franzetti LLP to Illinois EPA, Division of Public Water Supplies re Violation Notice-Waukegan (Sept. 4, 2012).  MWG does not object to the authentication of the Letter from Susan Franzetti, Counsel for Midwest Generation, Nijman Franzetti LLP to Illinois EPA, Division of Public Water Supplies re Violation Notice-Waukegan (Sept. 4, 2012) located at MWG13-15_452 through 491.
MWG13-15_16277-16278	Email from Bill Buscher at IEPA to Maria Race (Oct. 26, 2011)
MWG13-15_16429 - 16489	Patrick Engineering, Quarterly Groundwater Monitoring Results – First Quarter 2013 Waukegan Generating Station. MWG objects to the duplication of this report by Bates Comp. 002226-002289
MWG13-15_16492- 16560	Patrick Engineering, Quarterly Groundwater Monitoring Results – First Quarter 2013 Joliet #29 Generating Station. MWG objects to the duplication of this report by Bates Comp. Bates Comp. 002157-002225
MWG13-15_16564-16564	Letter from William E. Buscher, Manager, Hydrogeology and Compliance Unit, Groundwater Section, Bureau of Water, IEPA to John Kennedy, Senior Vice President, Generation (Jul. 2, 2013)
MWG13-15_16569-16684	Patrick Engineering, Quarterly Groundwater Monitoring Results – First Quarter Report 2013, Powerton Generating Station. MWG objects to the duplication of this report by Bates Comp. Bates Comp. Bates Comp. 002290-002405
MWG13-15_17183-17183	Letter from William E. Buscher, Manager, Hydrogeology and Compliance Unit, Groundwater Section, Bureau of Water, IEPA to Amy Hanrahan, Senior Environmental Manager, MWG (Aug. 8, 2013)
MWG13-15_17185-17229	MWG objects to the authentication of this copy of the Midwest Generation, Compliance Commitment Agreement— Groundwater Management Zone Application—Joliet #29 Generating Station, (Jan. 18, 2013)

<b>Bates Number</b>	<b>Description of Maria Race Documents as Identified by Complainants</b>
	MWG does not object to the authentication of the color copy of the Midwest Generation, Compliance Commitment Agreement—Groundwater Management Zone Application—Joliet #29 Generating Station, (Jan. 18, 2013) located at MWG13-15_667-711.
MWG13-15_21361-21367	Email from Maria Race to William Gaynor (Oct. 19, 2012)
MWG13-15_21746-21750	Letter from Amy Hanrahan to Andrea Rhodes, Illinois EPA, Well Installation Documentation, Powerton (Dec. 14, 2012)
MWG13-15_23301-23597	ENSR, Phase II Environmental Site Assessment for Joliet 29 (Dec. 1998). (as an ancient document)
MWG13-15_23608-23617	NRT, Technical Memorandum No. 1, Impoundment Ranking and Replacement Liner Recommendations (Dec. 21, 2005).
MWG13-15_23618-23629	NRT, Technical Memorandum No. 3, Impoundment Liner Upgrade Priority, and Liner System Options and Cost (Oct. 13, 2006).
MWG13-15_23630-23641	NRT Nov. 22, 2006 impoundment assessment
MWG13-15_23648-23654	Letter from Bruce R. Henset, NRT, to Maria Race re: Conceptual Design for Surface Impoundment Liners (Dec. 21, 2005).
MWG13-15_23977-23977	Letter from William E. Buscher, IEPA, to John Kennedy, re: Approval of Powerton GMZ (10/3/2013).
MWG13-15_25139-25167	ENSR, Phase I Environmental Site Assessment for Joliet 29 (Oct. 1998). (as an ancient document)
MWG13-15_33867-33997	MWG objects to the authenticity of this document as described as the Permit Application for South Ash Ponds 2 and 3 Liner Replacement.  MWG 13-15_33867-33997 is the Construction Documentation for the Joliet 29 Pond 3 Liner Replacement. MWG does not object to the authenticity of this document as identified as the “Construction Documentation for the Joliet 29 Pond 3 Liner Replacement.”
MWG13-15_39760-39826	MWG objects to the authenticity of this document because it is duplicative of MWG13-15_6964-7080 identified above.
MWG13-15_44558-44583	Email Exchange Re: "Ash Impoundment Project (Groundwater Monitoring Well Installations)
MWG13-15_45779-46054	ENSR Phase II Environmental Site Assessment Waukegan Generating Station (as an ancient document)
MWG13-15_46113-46122	Andrews Environmental Engineering, Inc., Former Griess Pflieger Tannery Site, (Nov. 8, 2005)
MWG13-15_48440-48492	ENSR, Phase II Environmental Site Assessment for Joliet 29 Station (Dec. 7, 1998) (as an ancient document)
MWG13-15_51557-51573	NRT memo to M.Race, 6/17/08
MWG13-15_59603-59693	Geosyntec, Waukegan History of Construction, East and West Ash Basins (October 2016)

**IV. MWG WITNESS SPECIFIC EXHIBIT LIST**

MWG intends to include as exhibits the groundwater monitoring *results* for all Stations from 2010 to 2017. However, it is duplicative to include all of the groundwater reports as the later reports include and restate data from the earlier reports. MWG has requested that Complainants consider limiting the number of reports accordingly. MWG reserves the right to supplement its exhibits with those listed by Complainants or to be used for cross-examination or rebuttal.

<b>MWG EXHIBITS</b>			
	<b>DOCUMENT NO.</b>	<b>DESCRIPTION</b>	<b>WITNESS</b>
1.	MWG13-15_1-34	Pond Characterizations for Midwest Generation Stations	Race
2.	MWG13-15_36-65	LaFarge hauling information	Race
3.	MWG13-15_142	Chart of Ash Pond relining	Race
4.	MWG13-15_201-209	Caterpillar request for an ELUC at Joliet 29	Race
5.	MWG13-15_293-305	July 15, 2009 Letter from Midwest Generation to Illinois Environmental Protection Agency ("Illinois EPA")	Race
6.	MWG13-15_442	Joliet 29 Supplemental Response to the Violation Notice	Race
7.	MWG13-15_452-491	Waukegan Supplemental Response to the Violation Notice	Race
8.	MWG13-15_492-505	Powerton Supplemental Response to the Violation Notice	Race
9.	MWG13-15_506-521	Will County Supplemental Response to the Violation Notice	Race
10.	MWG13-15_552-558	Compliance Commitment Agreement ("CCA") acceptance for Powerton	Race
11.	MWG13-15_559-564	The CCA acceptance for Will County	Race
12.	MWG13-15_565-570	The CCA acceptance for Waukegan	Race
13.	MWG13-15_571-576	The CCA acceptance for Joliet 29	Race
14.	MWG13-15_599-610	The Environmental Land Use Control ("ELUC") application for Waukegan	Gnat
15.	MWG13-15_611-621	The Will County ELUC application	Gnat
16.	MWG13-15_622-666	Will County Groundwater Management Zone ("GMZ") application	Gnat

<b>MWG EXHIBITS</b>			
	<b>DOCUMENT NO.</b>	<b>DESCRIPTION</b>	<b>WITNESS</b>
17.	MWG13-15_667-711	Joliet 29 GMZ application	Gnat
18.	MWG13-15_712-723	Powerton ELUC application	Gnat
19.	MWG13-15_724-775	Powerton GMZ application	Gnat
20.	MWG13-15_791	Illinois EPA's approval of Will County ELUC	Gnat
21.	MWG13-15_795-796	Will County Compliance Statement	Race
22.	MWG13-15_797-798	Powerton Compliance Statement	Race
23.	MWG13-15_801-802	Joliet 29 Compliance Statement	Race
24.	MWG13-15_805-806	Waukegan Compliance Statement	Race
25.	MWG13-15_813	Illinois EPA approval of the Will County Hydrogeologic Plan	Race
26.	MWG13-15_814	Illinois EPA approval of the Joliet 29 Hydrogeologic Plan	Race
27.	MWG13-15_815	Illinois EPA approval of the Waukegan Hydrogeologic Plan	Race
28.	MWG13-15_816-7	Illinois EPA approval of the Powerton Hydrogeologic Plan	Race
29.	MWG13-15_820	Email from M.Race to L.Dunaway regarding the Waukegan ash ponds	Race
30.	MWG13-15_7392	Waukegan Water Balance (Confidential Business Information – Non-Disclosable Information “ <i>NDI</i> ”)	Veenbaas
31.	MWG13-15_7401	Powerton ash treatment system effluent	Kelly
32.	MWG13-15_8233-8235	Leak Location Report for Pond 3S at Will County	Maddox
33.	MWG13-15_8236-8255	Will County Pond 3S Field Summaries and Field Directives	Maddox
34.	MWG13-15_9583-9643	Application for Construction Permit to reline the Ash Surge Basin, Powerton	Kelly
35.	MWG13-15_9670-9731	Application for Construction Permit to reline the Secondary Ash Basin, Powerton	Kelly
36.	MWG13-15_9783-9840	Construction Permit application for the Bypass Basin, Powerton	Kelly
37.	MWG13-15_10209-10212	Powerton Metal Cleaning Basin Construction Permit, 2009	Kelly
38.	MWG13-15_10236-10310	Construction Permit application for Metal Cleaning Basin at Powerton	Kelly

<b>MWG EXHIBITS</b>			
	<b>DOCUMENT NO.</b>	<b>DESCRIPTION</b>	<b>WITNESS</b>
39.	MWG13-15_10772 to MWG13-15_10773	Annual NPDES Compliance Evaluation <i>NDI</i>	Kelly
40.	MWG13-15_10812 to 10815	Powerton Construction permit for the Ash Surge Basin (2013)	Kelly
41.	MWG13-15_10926 to 10947	Powerton Water Treatment Manuals	Kelly
42.	MWG13-15_10948-10966	Powerton Bottom Ash Analytical Report, 2007	Kelly
43.	MWG13-15_10977-10978	Powerton ash treatment system outfall, 2004	Kelly
44.	MWG13-15_11302-11492	2004 Andrews Environmental Report	Race
45.	MWG13-15_11798-11819	2014 groundwater reports from the Waukegan ComEd ELUC by URS	Race
46.	MWG13-15_11574 to MWG13-15_11582	Waukegan purchase order of repair near ramp	Lux
47.	MWG13-15_12713 to 12738	Tannery ELUC at Waukegan	Race
48.	MWG13-15_12809-12820	KPRG and Associates, Inc. 2004, Waukegan	Gnat
49.	MWG13-15_12847	Type of coal burned – <i>NDI</i>	Race
50.	MWG13-15_13242 to 13421	Phase I, 525 E. 135th St., Romeoville, Il, KPRG and Associates, Inc., 2008 <i>NDI</i>	Gnat
51.	MWG13-15_13775-13796	Patrick Borings of Former Ash Basin	Kelly
52.	MWG13-15_14705-14732	Will County Bottom Ash Analytical Report, 2010	Maddox
53.	MWG13-15_14745-14747	Will County Midland Standard Test Results	Gnat
54.	MWG13-15_15178-15190	2014 Waukegan Ash Pond Inspection Report	Lux
55.	MWG13-15_16564	Illinois EPA's approval of the Will County GMZ	Gnat
56.	MWG13-15_16686-16769	Patrick Engineering, Quarterly Groundwater Monitoring Results – First Quarter Report 2013, Will County Generating Station.	Race
57.	MWG13-15_16907 to 16963	Joliet 29 Systems operations	Race
58.	MWG13-15_17183	Illinois EPA's approval of Joliet 29 GMZ	Gnat

<b>MWG EXHIBITS</b>			
	<b>DOCUMENT NO.</b>	<b>DESCRIPTION</b>	<b>WITNESS</b>
59.	MWG13-15_18053-18054	Joliet 29 Construction Permit for Ponds 1 and 2	Race
60.	MWG13-15_18115 to 18131	Commonwealth Edison Company Joliet 29 Construction Documentation, 1978	Race
61.	MWG13-15_18133 to 18189	Joliet 29, Pond 1 and 2 Construction Permit application	Race
62.	MWG13-15_18192	Ruettiger, Tonelli & Assoc., Inc., 2007	Seymour
63.	MWG13-15_18823-19015	KPRG Joliet 29 Ash removal report	Gnat
64.	MWG13-15_19486-19575	Joliet 29 July 25, 2005 ash report	Gnat
65.	MWG13-15_19576-19668	Joliet 29 August 18, 2005 ash report	Gnat
66.	MWG13-15_22863 to 22865	Smith, Michael J., Valdes 2009.	Lux
67.	MWG13-15_23721-23729	NRT impoundment assessment	Race
68.	MWG13-15_23856-23866	Powerton 2013 ELUC	Gnat
69.	MWG13-15_23974-75	Illinois EPA's approval for the Powerton ELUC	Gnat
70.	MWG13-15_23977	Illinois EPA's approval of the GMZ for Powerton	Gnat
71.	MWG13-15_24052	Illinois EPA's approval of Waukegan's ELUC	Gnat
72.	MWG13-15_24221-24231	Valdes 2014 berm inspection at Waukegan	Lux
73.	MWG13-15_24264-24392	KPRG 2005 geotechnical analysis	Race
74.	MWG13-15_24387-24392	KPRG 2005 geotechnical analysis, October 25, 2005 update	Race
75.	MWG13-15_24569-24575	Purchase Order for Waukegan repair	Lux
76.	MWG13-15_24935 to 24954	Will County water processes maps and pond drawings	Maddox
77.	MWG13-15_28184	Purchase Order for Will County repair	Maddox
78.	MWG13-15_29023 to 29081	Application for Permit for the Will County South Ash Ponds 2 and 3	Race
79.	MWG13-15_29100 to 29104	Pond drawings for the relining of Pond 3S, Will County	Maddox
80.	MWG13-15_29165 to 29259	Will County No. 2 & 3 Ash Pond Liner Specification	Maddox
81.	MWG13-15_29339	Map of Ponds 1N and 1S at Will County	Maddox



<b>MWG EXHIBITS</b>			
	<b>DOCUMENT NO.</b>	<b>DESCRIPTION</b>	<b>WITNESS</b>
82.	MWG13-15_ 29502- 29532	Will County 1998 Phase I	Race
83.	MWG13-15_ 29797	Historical memo regarding Will County	Maddox
84.	MWG13-15_ 29936, 29975 - 29976	July 13, 2013 Waukegan NPDES permit filed testimony (excerpt)	Race
85.	MWG13- 15_30105-30117	NPDES Permit No. ILR10 for Ponds 2S and 3S at Will County, 2008	Maddox
86.	MWG13- 15_30421- 30424	Powerton Bypass Basin Construction Permit	Kelly
87.	MWG13- 15_30429-30432	Powerton Secondary Ash Basin Construction Permit	Kelly
88.	MWG13- 15_30588-30591	Will County Pond 2S Permit for Relining, 2013	Race
89.	MWG13-15_32583	NRT, 2008 map of Pond 2S replacement	Maddox
90.	MWG13- 15_33867-33997	NRT Construction Documentation for Pond 3 at Joliet 29	Race
91.	MWG13- 15_33998-34157	Construction documentation for the Ash Surge basin at Powerton	Kelly
92.	MWG13- 15_34158-34267	Construction documentation and for the Secondary Ash basin, Powerton	Kelly
93.	MWG13- 15_34268- 34433	Construction documentation for Pond 2S at Will County	Maddox
94.	MWG13-15_ 38735- 388806	Joliet 29 Patrick Engineering amended reports	Race
95.	MWG13- 15_39445-39461	Powerton Hydrogeologic Assessment Plan	Race
96.	MWG13- 15_39462-39478	Waukegan Hydrogeologic Assessment Plan	Race
97.	MWG13- 15_39479-39495	Will County Hydrogeologic Assessment Plan	Race
98.	MWG13- 15_39496-39512	Joliet 29 Hydrogeologic Assessment Plan	Race
99.	MWG13-15_ 39530- 39619	Powerton Patrick Engineering amended reports	Race
100.	MWG13-15_ 41395- 41493	Waukegan Patrick Engineering amended reports	Race
101.	MWG13-15_ 42866- 42935	Will County Patrick Engineering amended reports	Race
102.	MWG13- 15_43863-43864	Maria Race CV	Race
103.	MWG13-15_43865	Christopher Lux CV	Lux

<b>MWG EXHIBITS</b>			
	<b>DOCUMENT NO.</b>	<b>DESCRIPTION</b>	<b>WITNESS</b>
104.	MWG13-15_43866	Rebecca Maddox CV	Maddox
105.	MWG13-15_43868-43869	Richard Gnat CV	Gnat
106.	MWG13-15_44124	Mark Kelly CV	Kelly
107.	MWG13-15_44629-44630	Fred Veenbaas CV	Veenbaas
108.	MWG13-15_44275 - MWG13-15_44278	Joliet 29 Ash Pond 3 Construction Permit	Race
109.	MWG13-15_44599- 44612	June 2014 Valdes ash pond berm inspection	Lux
110.	MWG13-15_44982	Maria Race email to Lynn Dunaway, July 26, 2013	Race
111.	MWG13-15_46211- 46594, MWG13-15_217-222	Retec Remediation Objectives Report for the Former Griess-Pfleger Tannery Site, 2002 Waukegan	Race
112.	MWG13-15_46595 – 46711	Phase II Remedial Investigation Report at the Former Griess-Pfleger Tannery Site	Race
113.	MWG13-15_46712- 46926	Appendices to the Tannery Phase II	Race
114.	MWG13-15_46927 – 47075	Appendices to the Tannery Phase II	Race
115.	MWG13-15_47076 - 47291	Remedial Investigation Report – Phase I for the Former Griess-Pfleger Tannery Site, V. 1 of 3	Race
116.	MWG13-15_47292 – 47492	Remedial Investigation Report – Phase I for the Former Griess-Pfleger Tannery Site, V. 2 of 3	Race
117.	MWG13-15_47493- 47711	Remedial Investigation Report – Phase I for the Former Griess-Pfleger Tannery Site, V. 3 of 3	Race
118.	MWG13-15_47712- 48402	Remedial Investigation Report for the Former Griess-Pfleger Tannery Site, Data	Race
119.	MWG13-15_48403-48438	Survey maps of the Stations	Race
120.	MWG13-15_48604- 48605	Will County Pond 2 and 3 Construction Permit to reline ponds	Maddox
121.	MWG13-15_48636 to 48639	Repair of Will County pond liner	Maddox
122.	MWG13-15_48644	Aerial of Waukegan Station	Gnat
123.	MWG13-15_49099- 49256	Construction documentation for the Metal Cleaning Basin and Bypass Basin	Kelly
124.	MWG13-15_49272-49285	Valdes May 29, 2015 inspection of the Waukegan berms	Lux
125.	MWG13-15_49257-49267	Will County soil removal records	Maddox

<b>MWG EXHIBITS</b>			
	<b>DOCUMENT NO.</b>	<b>DESCRIPTION</b>	<b>WITNESS</b>
126.	MWG13-15_49268-49267	Waukegan construction documentation, 1977	Lux
127.	MWG13-15_49286- 49288	March 21, 2015 Email from Hayes to Chris Lux	Lux
128.	MWG13-15_49293-49298	September 14, 2010 NRT email and supporting calculations	Race
129.	MWG13-15_49299 to 49340	Narejo, D.N. and Corcoran, G., 1996	Seymour
130.	MWG13-15_49341-49361	GSE Installation Quality Assurance Manual	Seymour
131.	MWG13-15_49362- 49507	Joliet 29 Pond 1 and 2 Construction documentation	Race
132.	MWG13-15_49742-49753	Joliet 29 Pond 3 effluent results	Race
133.	MWG13-15_50093-50094	July 30, 2015 Illinois EPA letter to Powerton regarding CCA modification	Kelly
134.	MWG13-15_50256	ASTM, 1985	Gnat
135.	MWG13-15_50258- 50269	ASTM, 2014, Standard Guide for Design and Construction of Coal Ash Structural Fills	Seymour
136.	MWG13-15_50270 - 50381	Carlson, 2010	Seymour
137.	MWG13-15_50382 - 50392	Darilek, G.T., and Laine, D.I., 2001	Seymour
138.	MWG13-15_50393-50401	Forget, B. Rollin, A.L. & Jacqueline, T., 2005	Seymour
139.	MWG13-15_50547- 50549	Calculations regarding hydrostatic uplift	Seymour
140.	MWG13-15_50550	2015 Illinois EPA email between Lynn Dunaway and Jaime Rabins, filed with IPCB as Illinois EPA Exhibit 64 in <i>Sierra Club et al. v. Illinois EPA and Midwest Generation, LLC</i> , PCB15-189, June 26, 2015	Race
141.	MWG13-15_50553 to 50554	Teleconference with M. Kelly	Seymour
142.	MWG13-15_50555 to 50556	Teleconference with Harrison Estep	Seymour
143.	MWG13-15_50557	Teleconference with Mitch Nowicki	Seymour
144.	MWG13-15_57517 – 57533	Joliet 29 boring logs, ENSR Phase II	Race
145.	MWG13-15_61621-61662	Powerton Groundwater Data pursuant to the Federal CCR Rules, March 8, 2017	Gnat
146.	MWG13-15_61693-61743	Waukegan Groundwater Data pursuant to the Federal CCR Rules, Feb. 14, 2017	Gnat

<b>MWG EXHIBITS</b>			
	<b>DOCUMENT NO.</b>	<b>DESCRIPTION</b>	<b>WITNESS</b>
147.	MWG13-15_61744-61798	Will County Groundwater Data pursuant to the Federal CCR Rules, March 10, 2017	Gnat
148.	MWG13-15_61834-61903	Powerton Groundwater Data pursuant to the Federal CCR Rules, May 19, 2017	Gnat
149.	MWG13-15_61904-61954	Waukegan Groundwater Data pursuant to the Federal CCR Rules, May 24, 2017	Gnat
150.	MWG13-15_61955-62002	Will County Groundwater Data pursuant to the Federal CCR Rules, May 3, 2017	Gnat
151.	MWG13-15_62322-62386	Quarterly Groundwater Monitoring Report – Joliet 29 Generating Station, Second Quarter 2017	Gnat
152.	MWG13-15_62387-62468	Quarterly Groundwater Monitoring Report - Waukegan Generating Station, Second Quarter 2017	Gnat
153.	MWG13-15_62469-62534	Quarterly Groundwater Monitoring Report - Will County Generating Station, Second Quarter 2017	Gnat
154.	MWG13-15_62535-62642	Quarterly Groundwater Monitoring Report - Powerton Generating Station, Second Quarter 2017	Gnat
155.	MWG's NPDES permit IL0002208		Race
156.	MWG's NPDES permit IL0002259		Race
157.	MWG's NPDES permit IL0002232		Race
158.	MWG's NPDES permit IL0064254		Race
159.	Beyond coal campaign		Race
160.	Expert Report of John Seymour, P.E., Nov. 2, 2015		Seymour
161.	Seymour Supplement to the Expert Report of John Seymour, P.E., February 29, 2016		Seymour
162.	Temporal Trend Testing Results Notes by J. Seymour, Feb. 29, 2016		Seymour
163.	May 27, 2010 ELUC at Joliet 29		Race
164.	EPRI, 2009		Seymour
165.	Sample of Bottom ash		Veenbaas
166.	Photograph and poz o pac core sample Will County		Gnat
167.	Groundwater summary results updated to 2017/time concentrations to 2017		Gnat
168.	Samples of HDPE and geotextile		Seymour
169.	Comp. 15059-15250	EPRI, 2006	Seymour

