

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS POWER GENERATING COMPANY)	
(COFFEEN POWER STATION),)	
)	
Petitioner,)	
)	
v.)	
)	PCB 18-082
ILLINOIS ENVIRONMENTAL PROTECTION)	(NPDES Permit Appeal)
AGENCY)	
)	
Respondent.)	

NOTICE OF FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on July 12, 2018, I electronically filed with the Clerk of Pollution Control Board of the State of Illinois a RESPONDENT’S MOTION FOR EXTENSION OF TIME TO RESPOND TO PETITION FOR REVIEW OF IEPA NPDES PERMIT DECISION AND RESPONSE TO REQUEST TO OPERATE UNDER THE 2018 MODIFIED PERMIT, a copy of which attached thereto and herewith serve upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

BY: s/ Matthew A. Walker
Matthew A. Walker, #6324810
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Dated: July 12, 2018

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS POWER GENERATING COMPANY)	
(COFFEEN POWER STATION),)	
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Petitioner,)	
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ILLINOIS ENVIRONMENTAL PROTECTION)	(NPDES Permit Appeal)
AGENCY)	
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Respondent.)	

RESPONDENT'S MOTION FOR EXTENSION OF TIME TO RESPOND TO PETITION FOR REVIEW OF IEPA NPDES PERMIT DECISION AND RESPONSE TO REQUEST TO OPERATE UNDER THE 2018 MODIFIED PERMIT

Respondent, the Illinois Environmental Protection Agency (the "Agency"), by and through its attorney, LISA MADIGAN, Attorney General of the State of Illinois, pursuant to Section 101.522 of the Board's Procedural Rules, 35 Ill. Adm. Code 101.522, hereby moves for an extension of time to respond to the Petition for Review of IEPA NPDES Permit Decision ("Petition") filed in this matter, and in support thereof states as follows:

1. On June 13, 2018, Illinois Power Generating Company ("IPGC") filed the Petition challenging a condition of its NPDES permit issued on May 10, 2018 ("2018 Permit"). IPGC further moved in the Petition to continue operating under the 2018 Permit during the pendency of this appeal. In November of 2017, IPGC sought modification by the Agency of the same NPDES permit condition.
2. Respondent has been working diligently to review the current Petition, but other matters have required the attention of assigned staff and additional time is needed.

3. Respondent's period to review the Petition includes the Fourth of July holiday and during scheduled vacation time of staff involved with matters related to the Petition.

4. The current deadline for Respondent to file a response is July 13, 2018.

5. Respondent therefore requests an extension of thirty (30) days or until August 13, 2018 to respond to the Petition.

6. Counsel for Respondent contacted IPGC's Counsel about Respondent's request for an extension and IPGC's Counsel does not object.

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

8. The Agency is currently reviewing IPGC's November 2017 modification request and has not yet issued a final decision, therefore Respondent does not oppose IPGC's request to operate under the 2018 modified permit.

WHEREFORE, for the reasons set forth above, Respondent requests an extension of time of thirty (30) days to respond to the Petition.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

BY: 

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Dated: July 12, 2018

CERTIFICATE OF SERVICE

I hereby certify that I did on July 12, 2018, caused to be served by electronic mail, a true and correct copy of the following instruments entitled NOTICE OF FILING and RESPONDENT'S MOTION FOR EXTENSION OF TIME TO RESPOND TO PETITION FOR REVIEW OF IEPA NPDES PERMIT DECISION AND RESPONSE TO REQUEST TO OPERATE THE 2018 MODIFIED PERMIT upon the persons listed on the Service List.

s/ Lilia M. Brown
Lilia M. Brown
Administrative Clerk
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 she verily believes the same to be true.

s/ Lilia M. Brown
Lilia M. Brown
Administrative Clerk
Environmental Bureau

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