

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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|----------------------------------|---|-----------------------------|
| ILLINOIS POWER RESOURCES |) | |
| GENERATING, LLC (as successor to |) | |
| AMERENENERGY RESOURCES |) | |
| GENERATING COMPANY) |) | |
| EDWARDS POWER STATION |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 06-126 |
| |) | (CAAPP Permit Appeal – Air) |
| ILLINOIS ENVIRONMENTAL |) | |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

NOTICE OF FILING

PLEASE TAKE NOTICE that I have filed with the Illinois Pollution Control Board the Joint Motion to Partially Lift Stay of CAAPP Permit and Request for Remand of Permit to Respondent, a copy of which is hereby served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY,

by KWAME RAOUL, Attorney
General of the State of Illinois

BY: /s/ Ellen F. O’Laughlin
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March 19, 2019

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CERTIFICATE OF SERVICE

I, ELLEN F. O'LAUGHLIN, an attorney, do certify that I caused the JOINT MOTION TO PARTIALLY LIFT STAY OF CAAPP PERMIT AND REQUEST FOR REMAND OF PERMIT TO RESPONDENT in this matter to be served upon the persons listed in the attached Service List by email for those who have consented to email service and the U.S. Mail for all others.

/s/ Ellen F. O'Laughlin
ELLEN F. O'LAUGHLIN

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| |) | |
| Respondent. |) | |

**JOINT MOTION TO PARTIALLY LIFT STAY OF CAAPP PERMIT
AND REQUEST FOR REMAND OF PERMIT TO RESPONDENT**

Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by Kwame Raoul, Attorney General of the State of Illinois, and Petitioner, ILLINOIS POWER RESOURCES GENERATING, LLC (as successor to AMERENENERGY RESOURCES GENERATING COMPANY), EDWARDS POWER STATION, by and through its attorneys, hereby move the Illinois Pollution Control Board (“Board”) to lift the stay of the uncontested conditions of the Clean Air Act Permit Program (“CAAPP) permit that is the subject of this appeal (“Edwards Permit”). Further, the parties request that the Board, while maintaining the stay of the remaining conditions and its jurisdiction over them, remand the Edwards Permit to the Respondent to allow the Respondent to revise the permit’s term of duration and incorporate permit modifications pursuant to the parties’ settlement negotiations. In support of their motion, the parties state as follows:

1. The parties have negotiated an agreement concerning the contested conditions of the Edwards Permit.
2. The agreement includes negotiated changes to the permit that were noticed for public comment.
3. The U.S. Environmental Protection Agency has completed its review of the negotiated changes to the permit.

4. In order to incorporate the negotiated changes into the Edwards Permit and resolve the appeal, the parties request that the Board lift the stay as to the conditions not contested by Petitioner and remand the permit back to the Respondent. On the same day the Edwards Permit is remanded by the Board, the Illinois EPA will establish new effective and expiration dates reflecting the five-year tenure of the permit and will issue a modified version of the Edwards Permit incorporating the negotiated changes.

5. Once the modified version of the Edwards Permit incorporating the negotiated changes is issued, the Petitioner will file a motion to dismiss this matter.

WHEREFORE, the parties jointly and respectfully request that the Board lift the stay of the uncontested conditions of the Edwards Permit and remand the permit back to the Respondent.

Respectfully Submitted,

ILLINOIS POWER RESOURCES
GENERATING, LLC (as successor to
(AMERENENERGY RESOURCES
GENERATING COMPANY)

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY, by

KWAME RAOUL, Attorney General
of the State of Illinois,

MATTHEW J. DUNN, Chief
Environmental Enforcement Division

BY: /s/ Andrew N. Sawula
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