

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
)
STANDARDS FOR THE DISPOSAL OF) **R20-19**
COAL COMBUSTION RESIDUALS) **(Rulemaking – Land)**
IN SURFACE IMPOUNDMENTS:)
PROPOSED NEW 35 ILL. ADM. CODE 845)

NOTICE OF FILING

To: ALL PARTIES ON THE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **Motion to Correct Transcripts**, copies of which are herewith served upon you.

/s/ Ryan C. Granholm

Ryan C. Granholm

Dated: September 8, 2020

SCHIFF HARDIN LLP
Joshua R. More
Stephen J. Bonebrake
Ryan C. Granholm
233 South Wacker Drive, Suite 7100
Chicago, Illinois 60606
(312) 258-5500

Michael L. Raiff
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, TX 75201-6912
(214) 698-3350
mraiff@gibsondunn.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
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STANDARDS FOR THE DISPOSAL OF)	R20-19
COAL COMBUSTION RESIDUALS)	(Rulemaking – Land)
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Motion to Correct Transcripts

NOW COME Dynegy Midwest Generation, LLC, Electric Energy, Inc., Illinois Power Generating Company, Illinois Power Resources Generating, LLC, and Kincaid Generation, LLC, (collectively, “Dynegy”), by their attorneys, Schiff Hardin LLP, pursuant to 35 Ill. Admin. Code § 101.604, and request that the Hearing Officer order correction of the transcripts for hearings held in this matter on August 11 and 12, 2020, in accordance with the below charts.

August 11 Transcript:

Page	Line	Now Reads:	Requested Correction:
28	1	“ . . . ponds that plan no longer . . . ”	“ . . . ponds at plants no longer. . . ”
28	14-15	“ . . . ponds that plan no longer . . . ”	“ . . . ponds at plants no longer. . . ”
39	16-17	“ . . . questions about 845.100 I also . . . ”	“ . . . questions about 845.100 if I also . . . ”
44	7-8	“ . . . any CCR surface impoundment created after . . . ”	“ . . . any CCR surface impoundment created before . . . ”
44	8	“ . . . the executive date . . . ”	“ . . . the effective date . . . ”
44	15	“ . . . the executive date . . . ”	“ . . . the effective date . . . ”
83	15	“ . . . under Section 3.13 . . . ”	“ . . . under Section 3.143 . . . ”
84	13	“ . . . eight—eight determinations, . . . ”	“ . . . Agency—Agency determinations, . . . ”
86	17	“ . . . data of Part 257.”	“ . . . date of Part 257.”
96	13	“ . . . Jeremy Lecrone.”	“ . . . Darin LeCrone. ”
96	18-19	“ . . . Jeremy Lecrone.”	“ . . . Darin LeCrone. ”
98	3-4	“ . . . Jeremy Lecrone.”	“ . . . Darin LeCrone. ”

110	24	“ . . . groundwater protection standards defers . . .”	“ . . . groundwater protection standards differs . . .”
111	15	“ . . . definition of the lease, . . .”	“ . . . definition of release , . . .”
125	24	“ . . . 845.173 shows . . .”	“ . . . 845.170(a)(3) shows . . .”
146	9	“ . . . damn safety . . .”	“ . . . dam safety . . .”
153	15	“MR. LECRONE:”	“MR. HAMMONS :”
154	20	“ . . . Jeff More . . .”	“ . . . Josh More . . .”
158	16	“ . . . sleuthed wet to the impoundment . . .”	“ . . . sluiced wet to the impoundment . . .”
158	23	“So they aught to be able . . .”	“So they ought to be able . . .”
159	2	“ . . . to sleuth that.”	“ . . . to sluice that.”
159	4	“ . . . those sleuth waters.”	“ . . . those sluice waters.”
159	7	“ . . . to sleuth that material . . .”	“ . . . to sluice that material . . .”
160	18	“ . . . to 845.22(f), . . .”	“ . . . to 845.220(f) , . . .”
162	10	“Item 7 will not have an expiration date.”	“Item 7. CCR permits issued by EPA will not have an expiration date.”
164	16	“ . . . the eight proposed timeframes . . .”	“ . . . the Agency proposed timeframes . . .”
176	1	“ . . . possibly the federal . . .”	“ . . . possible the federal . . .”
192	4	“ . . . damn safety . . .”	“ . . . dam safety . . .”
193	11	“ . . . are required on . . .”	“ . . . are required in . . .”
195	2	“ . . . existing damn safety . . .”	“ . . . existing dam safety . . .”

August 12 Transcript:

Page	Line	Now Reads:	Requested Correction:
16	21	“ . . . meaning.”	“ . . . meeting .”
29	8-9	“ . . . 845.240. A summary of the issues . . .”	“ . . . 845.240, a summary of the issues . . .”
29	11	“ . . . attendance would like . . .”	“ . . . attendance who would like . . .”
44	15-16	“ . . . look at community list serves that are . . .”	“ . . . look at community concerns that are . . .”
72	12	“ . . . in relation to Part B of that . . .”	“ . . . in relation to Part C of that . . .”
94	17	“ . . . definition of CCR under 845.110(d).”	“ . . . definition of CCR under 845.120 .”
96	20-21	“ . . . the positions taken in by litigants in those matters . . .”	“ . . . the positions taken by litigants in those matters . . .”
99	13-14	“We admitted a public comment . . .”	“We submitted a public comment . . .”
114	16-17	“ . . . applied to the staff-wide order . . .”	“ . . . applied to the site in the order . . .”
114	18-19	“ . . . requirements of 623.10 would have to be met.”	“ . . . requirements of 620 would have to be met.”

131	18	“... impoundments called a retrofit ...”	“... impoundments or a retrofit ...”
131	20-21	“... non-hazardous space landfills ...”	“... non-hazardous waste landfills ...”
148	22	“... 4.3 feet of head.”	“... 4.3 pounds per square inch of force. ”
150	1	“... system and a solid waste ...”	“... system in a solid waste ...”
150	4	“... system and a solid waste ...”	“... system in a solid waste ...”
168	22-23	“The Agency said that “Would vegetation ...”	“The Agency said that “ Woody vegetation ...”
177	24	“... rule in that?”	“... role in that?”
189	24	“This is Darryl ...”	“This is Darin ...”

Respectfully submitted,

/s/ Ryan C. Granholm

 Attorney for Dynegey

Dated: September 8, 2020

SCHIFF HARDIN LLP
 Joshua R. More
 Stephen J. Bonebrake
 Ryan C. Granholm
 233 South Wacker Drive, Suite 7100
 Chicago, Illinois 60606
 (312) 258-5500

Michael L. Raiff
 GIBSON, DUNN & CRUTCHER LLP
 2001 Ross Avenue, Suite 2100
 Dallas, TX 75201-6912
 (214) 698-3350
 mraiff@gibsondunn.com

CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 8th day of September, 2020, I have electronically served the attached **Motion to Correct Transcripts**, upon all parties on the attached service list. I further certify that my email address is rgranholm@schiffhardin.com; the number of pages in the email transmission is 8; and the email transmission took place today before 5:00 p.m.

/s/ Ryan Granholm

Ryan Granholm

SCHIFF HARDIN LLP
Joshua R. More
Stephen J. Bonebrake
Ryan C. Granholm
233 South Wacker Drive
Suite 7100
Chicago, Illinois 60606
312-258-5500

Michael L. Raiff
GIBSON, DUNN & CRUTCHER LLP
2001 Ross Avenue, Suite 2100
Dallas, TX 75201-6912
(214) 698-3350
mraiff@gibsondunn.com

Attorneys for Dynegy

<u>SERVICE LIST</u>	
<p>Vanessa Horton, Hearing Officer Vanessa.Horton@illinois.gov Don Brown, Clerk of the Board Don.brown@illinois.gov Illinois Pollution Control Board James R. Thompson Center Suite 11-500 100 West Randolph Chicago, Illinois 60601</p>	<p>Stephanie N. Diers Stefanie.Diers@illinois.gov Christine M. Zeivel Christine.Zeivel@illinois.gov Illinois Environmental Protection Agency 1021 N. Grand Ave., East, P.O. Box 19276 Springfield, Illinois 62794-9276</p>
<p>Virginia I. Yang - Deputy Counsel virginia.yang@illinois.gov Nick San Diego - Staff Attorney nick.sandiego@illinois.gov Robert G. Mool bob.mool@illinois.gov Paul Mauer - Senior Dam Safety Eng. Paul.Mauer@illinois.gov Renee Snow - General Counsel renee.snow@illinois.gov Illinois Department of Natural Resources One Natural Resources Way Springfield, IL 62702-1271</p>	<p>Matthew J. Dunn mdunn@atg.state.il.us Stephen Sylvester ssylvester@atg.state.il.us Andrew Armstrong aarmstrong@atg.state.il.us Kathryn A. Pamerter KPamerter@atg.state.il.us 69 West Washington Street, Suite 1800 Chicago, IL 60602</p>
<p>Deborah Williams Deborah.Williams@cwlp.com City of Springfield Office of Utilities 800 E. Monroe, 4th Floor Municipal Building East Springfield, IL 62757-0001</p>	<p>Kim Knowles Kknowles@prairierivers.org Andrew Rehn Arehn@prairierivers.org 1902 Fox Dr., Ste. 6 Champaign, IL 61820</p>
<p>Jennifer Cassel jcassel@earthjustice.org Thomas Cmar tcmar@earthjustice.org Mychal Ozaeta mozaeta@earthjustice.org Melissa Legge mlegge@earthjustice.org Earthjustice 311 South Wacker Drive, Suite 1400 Chicago, IL 60606</p>	<p>Jeffrey Hammons JHammons@elpc.org Kiana Courtney KCourtney@elpc.org Environmental Law & Policy Center 35 E. Wacker Dr., Suite 1600 Chicago, Illinois 60601</p>

<p>Faith Bugel fbugel@gmail.com 1004 Mohawk Wilmette, IL 60091</p>	<p>Michael Smallwood Msmallwood@ameren.com Ameren 1901 Choteau Ave. St. Louis, MO 63103</p>
<p>Mark A. Bilut Mbilut@mwe.com McDermott, Will & Emery 227 W. Monroe Street Chicago, IL 60606-5096</p>	<p>Abel Russ aruss@environmentalintegrity.org Environmental Integrity Project 1000 Vermont, Ave NW, Ste. 1100 Washington, DC 20005</p>
<p>Susan M. Franzetti Sf@nijmanfranzetti.com Kristen Laughridge Gale kg@nijmanfranzetti.com Vincent R. Angermeier va@nijmanfranzetti.com Nijman Franzetti LLP 10 S. Lasalle St., Ste. 3600 Chicago, IL 60603</p>	<p>Alec M Davis adavis@ierg.org Kelly Thompson kthompson@ierg.org Illinois Environmental Regulatory Group 215 E. Adams St. Springfield, IL 62701</p>
<p>Jennifer M. Martin Jennifer.martin@heplerbroom.com Melissa Brown Melissa.brown@heplerbroom.com Heplerbroom, LLC 4340 Acer Grove Drive Springfield, Illinois 62711</p>	<p>Cynthia Skrukrud Cynthia.Skrukrud@sierraclub.org Jack Darin Jack.Darin@sierraclub.org Christine Nannicelli christine.nannicelli@sierraclub.org Sierra Club 70 E. Lake Street, Ste. 1500 Chicago, IL 60601-7447</p>
<p>Alisha Anker aanker@ppi.coop Prairie Power Inc. 3130 Pleasant Runn Springfield, IL 62711</p>	<p>Walter Stone Water.stone@nrgenergy.com NRG Energy, Inc. 8301 Professional Place, Suite 230 Landover, MD 20785</p>
<p>Keith Harley kharley@kentlaw.iit.edu Daryl Grable dgrable@clclaw.org Chicago Legal Clinic, Inc. 211 W. Wacker Dr. Ste. 750 Chicago, IL 60606</p>	<p>Chris Newman newman.christopherm@epa.gov Jessica Schumacher Schumacher.Jessica@epa.gov U.S. EPA, Region 5 77 West Jackson Blvd. Chicago, IL 60604-3590</p>

<p>Claire Manning cmanning@bhslaw.com Anthony Shuering aschuering@bhslaw.com Brown, Hay & Stephens, LLP 205 S. Fifth Street, Suite 1000 P.O. Box 2459 Springfield, IL 62705-2459</p>	
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