

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DYNEGY MIDWEST GENERATION, LLC,)

Petitioner,)

v.)

**ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,**)

Respondent.)

**PCB 12-135
Variance – Air**

NOTICE OF FILING

To:

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

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

Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 West Randolph
Chicago, Illinois 60601

PLEASE TAKE NOTICE that we have today filed with the Office of the Clerk of the Pollution Control Board the attached **SUPPLEMENT TO CERTIFICATION OF PUBLICATION**, copies of which are herewith served upon you.

/s/ Bina Joshi
Bina Joshi

Dated: June 23, 2015

SCHIFF HARDIN LLP

Attorneys for Dynegy Midwest Generation, LLC

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Stephen J. Bonebrake

Bina Joshi

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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Petitioner,)	
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v.)	PCB 12-135
)	Variance – Air
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
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SUPPLEMENT TO CERTIFICATION OF PUBLICATION

On May 21, 2015, Dynegy Midwest Generation, LLC (DMG), by its attorneys, submitted a certification to the Board that notice of the Amended Petition for Variance was published in the *Alton Telegraph* on May 5, 2015; the *Commercial News* on May 1 and 2, 2015; the *Mason County Democrat* on May 6, 2015; the *North County News* on May 7, 2015 and the *News Tribune* on May 5, 2015. At that time, the certifications of publication from the *Alton Telegraph*, the *Commercial News* and the *Mason County Democrat* were also submitted to the Board. At that time, DMG had not yet received certifications of the publication of the notices by the *North County News* and the *News Tribune*, but stated that it would file copies of those publication certifications when received. DMG has since received the certifications of publication from the *North County News* and *News Tribune*, which are attached as Exhibit 1.

Respectfully submitted,

DYNEGY MIDWEST GENERATION, LLC

/s/ Bina Joshi

One of it's attorneys

Dated: June 23, 2015

Kathleen C. Bassi
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CERTIFICATE OF E-MAIL SERVICE

I, the undersigned, affirm that on this 23th day of June, 2015, I have served electronically the attached **SUPPLEMENT TO CERTIFICATION OF PUBLICATION**, upon the following persons by e-mail at the email addresses indicated below:

upon the following persons by email at the e-mail addresses indicated below:

Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
brad.halloran@illinois.gov

Dana Vetterhoffer, Assistant Counsel
Illinois Environmental Protection
Agency
Division of Legal Counsel
dana.vetterhoffer@illinois.gov

I further affirm that:

My e-mail address is bjoshi@schiffhardin.com.

The number of pages in the e-mail transmission is 8.

That the e-mail transmission took place before 5:00 p.m. on the date of June 23, 2015.

/s/ Bina Joshi

Bina Joshi

SCHIFF HARDIN LLP
Attorneys for Dynegy Midwest Generation, LLC
233 South Wacker Drive, Suite 6600
Chicago, Illinois 60606
Phone: 312-258-5605
Fax: 312-258-5600

EXHIBIT 1

Pollution Variance

On April 17, 2015, Dynegy Midwest Generation, LLC ("Dynegy"), with sources located in Randolph County, Mason County, Putnam County, Vermilion County and Madison County, filed with the Illinois Pollution Control Board ("Board") a motion to file an amended petition for variance and an amended petition for variance under Title IX of the Environmental Protection Act ("Act") [415 ILCS 5/35-38]. Pursuant to Section 35 of the Act [415 ILCS 5/35] and 35 Ill. Adm. Code Part 104, the Board has the authority to grant a variance. Dynegy requests a variance from the provisions of 35 Ill. Adm. Code § 225.233(f)(2) with respect to Cross-State Air Pollution Rule (CSAPR) vintage 2014 and 2016 emissions allowances allocated to the Baldwin Energy Complex (located at 10901 Baldwin Road, Baldwin, IL), Havana Power Station (located at 15260 North State Route 78, Havana, IL), Hennepin Power Station (located at 13498 E. 800 St., Hennepin, IL), Vermilion Power Station (located at 10188 East 2150 North Road, Oakwood, IL) and Wood River Power Station (located at #1 Chesson Lane, Alton, IL). Dynegy seeks relief from provisions prohibiting owners or operators of electricity generating units (EGUs) in a Multi-Pollutant Standard (MPS) Group from selling, trading to or otherwise exchanging with any person sulfur dioxide ("SO₂") allowances allocated to the EGUs for vintage years 2015 and beyond that would otherwise be available for sale or trade as a result of actions taken to comply with the SO₂ emission standards in 35 Ill. Adm. Code § 225.233(e). Dynegy also seeks relief from a provision requiring that Dynegy surrender such excess SO₂ allowances to the Illinois Environmental Protection Agency ("Illinois EPA"). A copy of this variance may be obtained through the Clerk's Office at the Board, located at: James R. Thompson Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601 (telephone: 312/814-3620). A copy may also be obtained through Board's website: <http://www.ipcb.state.il.us/COOL/external/>.

The Illinois EPA must file an amended recommendation within 45 days of the filing of the amended petition. The record will remain open for written comments until 30 days before the decision date, unless the hearing officer orders otherwise. Comments must be submitted to the Board at the address specified above. The record is available at the Board office for inspection, except those portions that are protected from disclosure under 35 Ill. Adm. Code 130. Procedures are available whereby disclosure may be sought by the public.

A hearing may be held after the filing of the recommendation. The Board's rules provide that any person may file a written request for hearing within twenty-one (21) days after the publication of notice pursuant to Section 104.214 of the Board's rules.

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PUBLISHER'S CERTIFICATE

I, the undersigned, do hereby certify that the NORTH COUNTY NEWS is owned and published by the NORTH COUNTY NEWS, INC. That the undersigned is the publisher. That the NORTH COUNTY NEWS is a weekly newspaper of general circulation and has been published in Red Bud, Randolph County, Illinois, for more than one year prior to the first publication of the attached notice. That the attached notice relating to the matter of

Dynegy Pollution Variance
Illinois EPA

has been published in said newspaper, the NORTH COUNTY NEWS for1..... consecutive weeks, in each and every issue thereof, beginning on the7..... day of May..... A.D. 20 15 and ending on the7..... day of May..... A.D. 20 15 which are the dates of the first and last issues containing the same.

Victor L. Mohr Publisher
Printer's fees \$ 73.14

Red Bud, Illinois 5/7/ 20 15

Received of
the sum of DOLLARS in
full payment for the publication of the above mentioned advertisement.

Certificate of Publication

STATE OF ILLINOIS }
COUNTY OF LA SALLE } SS.

This is to certify that a notice, a true copy of which is hereto attached, was published in the NewsTribune, a secular newspaper with one edition only on the date of each publication, of general circulation in the Counties of LaSalle, Bureau, Marshall, Lee, Putnam, and adjacent areas, printed and published daily, except Sunday, in the city of LaSalle, County of LaSalle, and State of Illinois, by The Daily News-Tribune, Inc., a corporation organized and existing under the laws of the State of Wyoming, and duly qualified to do business in the State of Illinois 1 times for 4 successive weeks that the date of the first publication in such newspaper was the 4th day of MAY, 2015, and the date of the last publication in such newspaper was the 4th day of MAY, 2015

It is further certified that said newspaper, News-Tribune, has been continuously published daily, except Sunday, as a secular newspaper of general circulation in the Counties of LaSalle, Bureau, Marshall, Lee, Putnam, and adjacent areas, for a period of more than one year prior to and immediately preceding the 4th day of MAY, 2015; that it is a newspaper as defined in "An Act to Revise the Law in Relation to Notices" (Approved February 13, 1974), as amended by Act approved July 17, 1959, Sections 1 through 8.2, Chapter 100, Illinois Revised Statutes; and that it is also a newspaper as defined in An Act concerning the Publishing Legal Notice or Publication (Approved June 8, 1909), as amended by Act approved July 17, 1959, and as added to by Act effective October 1, 1973, Section 10, Chapter 100, Illinois Revised Statutes.

This is to further certify that The Daily News-Tribune, Inc. publisher of said newspaper, has caused this Certificate to be signed by its duly authorized agent and the corporate seal thereof to be affixed.

Dated at the City of LaSalle in said County this 21st day of MAY, 2015.
THE DAILY NEWS-TRIBUNE, INC.

(Corporate Seal) _____
Publication Fee 176.40 By Gray Decker
Received Payment 5/21, 2015 Authorized Agent

THE DAILY NEWS-TRIBUNE, INC.
By Gray Decker
Authorized Agent

On April 17, 2015, Dynegy Midwest Generation, LLC ("Dynegy"), with sources located in Randolph County, Mason County, Putnam County, Vermilion County, and Madison County, filed with the Illinois Pollution Control Board ("Board") a motion to file an amended petition for variance and an amended petition for variance under Title IX of the Environmental Protection Act ("Act") [415 ILCS 5/35-38]. Pursuant to Section 35 of the Act [415 ILCS 5/35] and 35 Ill. Adm. Code Part 104, the Board has the authority to grant a variance. Dynegy requests a variance from the provisions of 35 Ill. Adm. Code § 225.233(f)(2) with respect to Cross-State Air Pollution Rule (CSAPR) vintage 2014 and 2016 emissions allowances allocated to the Baldwin Energy Complex (located at 10901 Baldwin Road, Baldwin, IL), Havana Power Station (located at 15260 North State Route 78, Havana, IL), Hennepin Power Station (located at 13498 E. 800 St., Hennepin, IL), Vermilion Power Station (located at 10188 East 2150 North Road, Oakwood, IL), and Wood River Power Station (located at #1 Chessen Lane, Alton, IL). Dynegy seeks relief from provisions prohibiting owners or operators of electricity generating units (EGUs) in a Multi-Pollutant Standard (MPS) Group from selling, trading to, or otherwise exchanging with any person sulfur dioxide ("SO2") allowances allocated to the EGUs for vintage years 2015 and beyond that would otherwise be available for sale or trade as a result of actions taken to comply with the SO2 emission standards in 35 Ill. Adm. Code § 225.233(e). Dynegy also seeks relief from a provision requiring that Dynegy surrender such excess SO2 allowances to the Illinois Environmental Protection Agency ("Illinois EPA"). A copy of this variance may be obtained through the Clerk's Office at the Board, located at James R. Thompson Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601 (telephone: 312/814-3620). A copy may also be obtained through Board's website: <http://www.ipcb.state.il.us/COOL/external/>. The Illinois EPA must file an amended recommendation within 45 days of the filing of the amended petition. The record will remain open for written comments until 30 days before the decision date, unless the hearing officer orders otherwise. Comments must be submitted to the Board at the address specified above. The record is available at the Board office for inspection, except those portions that are protected from disclosure under 35 Ill. Adm. Code 130. Procedures are available whereby disclosure may be sought by the public. A hearing may be held after the filing of the recommendation. The Board's rules provide that any person may file a written request for hearing within twenty-one (21) days after the publication of notice pursuant to Section 104.214 of the Board's rules. (May 4, 2015) 321921