

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PETITION OF MIDWEST) AS 2021-003
GENERATION, LLC FOR AN)
ADJUSTED STANDARD FROM 35 ILL.)
ADM. CODE PARTS 811 AND 814)

NOTICE OF FILING

To: See attached service list.

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board Petitioner, Midwest Generation, LLC's Certificate of Publication, a copy of which is herewith served upon you.

Dated: September 29, 2021

MIDWEST GENERATION, LLC

By: /s/ Kristen L. Gale

Kristen L. Gale
Susan M. Franzetti
Molly Snittjer
NIJMAN FRANZETTI LLP
10 South LaSalle Street Suite 3600
Chicago, IL 60603
(312) 251-5255

SERVICE LIST

Don Brown, Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, IL 60601
don.brown@illinois.gov

Christine Zeivel
Clayton Ankney
Stefanie Diers
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
Christine.Zeivel@Illinois.Gov
Clayton.Ankey@Illinois.Gov
Stefanie.Diers@Illinois.Gov

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Petitioner, Midwest Generation, LLC's Certificate of Publication was electronically filed on September 29, 2021 with the following:

Don Brown, Clerk of the Board
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
100 W. Randolph Street
Chicago, IL 60601
don.brown@illinois.gov

and that a true copy was e-mailed on September 29, 2021, to the parties listed on the above foregoing Service List.

Dated: September 29, 2021

/s/ Kristen L. Gale

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PROOF OF PETITION NOTICE

Midwest Generation, LLC, through its undersigned attorney, hereby files its proof of petition notice pursuant to 35 Ill. Adm. Code 104.410. Midwest Generation, LLC filed its amended petition in this matter on September 17, 2021, and caused publication of notice of the filing of that petition pursuant to 35 Ill. Adm. Code 104.408 in English in the Lake County Daily Herald on September 23, 2021, and in Spanish in Reflejos on September 24, 2021

Respectfully submitted,
MIDWEST GENERATION, LLC

By: /s/ Kristen L. Gale
Kristen L. Gale

Date: September 29, 2021

Kristen L. Gale
Susan M. Franzetti
Molly Snittjer
Nijman Franzetti LLP
10 S. LaSalle Street, Suite 3600
Chicago, Il 60603
(312) 251-5255

NOTICE OF PETITION BY MIDWEST GENERATION, LLC FOR AN ADJUSTED STANDARD BY THE ILLINOIS POLLUTION CONTROL BOARD
Midwest Generation, LLC ("MWG") filed an Amended Petition for an Adjusted Standard ("Amended Petition") from 35 Ill. Adm. Code 845.740(a) and Finding of Inapplicability of the Illinois Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments at 35 Ill. Adm. Code 845 with the Illinois Pollution Control Board on September 17, 2021 pursuant to 35 Ill. Adm. Code 101.400 and 104.418 for its Waukegan Station located at 401 East Greenwood Ave, Waukegan, Lake County, Illinois. Waukegan Station is a power-generating station. The Petition, which has been assigned docket #2021-003, requests regulatory relief for the West Pond. Since MWG filed its Petition, it has announced that the Waukegan Station will close, which changes the plans for the coal combustion residuals ("CCR") surface impoundments. MWG no longer needs to use the West Pond to manage CCR for future operations. Because MWG has removed most of the CCR in the West Pond, it will instead be used as a low-volume wastewater/stormwater retention basin. By this amendment, MWG seeks to reuse the West Pond's high-density polyethylene ("HDPE") liner. This amendment seeks approval to close the West Pond by removal and to reuse its liner instead of the original request to reuse the East Pond's liner. No other changes to the Petition are proposed. Pursuant to 35 Ill. Adm. Code 104.418(d), MWG did repeat the unchanged portions of the original filing, and incorporates by reference those portions, including its request that the Illinois Pollution Control Board find 35 Ill. Adm. Code Part 845 inapplicable to the Grassy Field. In the Amended Petition, MWG is requesting an adjusted standard for the West Pond to allow the decontamination and retention of its existing liner rather than the liner's removal as provided in 35 Ill. Adm. Code 845.740(a). MWG proposed the following adjusted standard language: "MWG may close by removing and decontaminating all areas affected by releases from the West Pond at the Waukegan Station. CCR removal and decontamination of the West Pond is complete when the CCR in the West Pond and any areas affected by releases from the CCR surface impoundment have been removed. MWG must conduct visual inspection and analytical testing to demonstrate that the geomembrane liner in the West Pond is not contaminated with CCR constituents. MWG must submit the results to Illinois EPA." Any person may cause a public hearing to be held in the above-described adjusted standard proceeding by filing a hearing request with the Illinois Pollution Control Board within 21 days after the date of the publication of this notice. The hearing request should indicate the docket number for the adjusted standard proceeding, as found in this notice. The hearing request must be mailed to the Clerk, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601, or filed electronically through COOL, located on the Board's website (www.ipcb.state.il.us).
Published in Daily Herald September 23, 2021 (4570800)

Electronic Filing: Received, Clerk's Office 09/29/2021

CERTIFICATE OF PUBLICATION
Paddock Publications, Inc.

Lake County
Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Lake County DAILY HERALD**. That said **Lake County DAILY HERALD** is a secular newspaper, published in Libertyville and has been circulated daily in the Village(s) of:
Antioch, Bannockburn, Deerfield, Fox Lake, Gages Lake, Grandwood Park, Grayslake, Green Oaks, Gurnee, Hainesville, Hawthorn Woods, Highland Park, Highwood, Indian Creek, Ingleside, Island Lake, Kildeer, Lake Barrington, Lake Bluff, Lake Forest, Lake Villa, Lake Zurich, Lakemoor, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Long Lake, Mundelein, North Barrington, Prairie View, Riverwoods, Round Lake, Round Lake Beach, Round Lake Park, Third Lake, Vernon Hills, Volo, Wadsworth, Waukegan, Wauconda, Wildwood

County(ies) of Lake
and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the Lake County DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 09/23/2021 in said Lake County DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY 
Designee of the Publisher and Officer of the Daily Herald

Control # 4570800

AVISO DE PETICIÓN DE MIDWEST GENERATION, LLC PARA UN ESTÁNDAR AJUSTADO ANTE LA JUNTA DE CONTROL DE LA CONTAMINACIÓN DE ILLINOIS. Midwest Generation, LLC ("MWG") presentó una Petición Enmendada para un Estándar Ajustado ("Petición Enmendada") de 35 Ill. Adm. Code 845.740(a) y Finding of Inapplicability of the Illinois Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments of 35 Ill. Adm. Code 845 with the Illinois Pollution Control Board el 17 de septiembre de 2021 de conformidad con 35 Ill. Adm. Code 101.400 y 104.418 para su estación Waukegan ubicada en 401 East Greenwood Ave, Waukegan, condado de Lake, Illinois. La estación de Waukegan es una estación de generación de energía. La petición, a la que se le ha asignado el expediente #2021-003, solicita un alivio regulatorio para el West Pond. Desde que MWG presentó su petición, ha anunciado que la estación de Waukegan cerrará, lo que cambia los planes para los embalses de superficie de residuos de combustión de carbón ("CCR"). MWG ya no necesita usar el West Pond para administrar CCR para operaciones futuras. Debido a que MWG ha eliminado la mayor parte del CCR en el estanque oeste, en su lugar se utilizará como una cuenca de retención de aguas residuales / aguas pluviales de bajo volumen. Mediante esta enmienda, MWG busca reutilizar el revestimiento de polietileno de alta densidad ("HDPE") de West Pond. Esta enmienda busca la aprobación para cerrar el West Pond mediante la eliminación y para reutilizar su revestimiento en lugar de la solicitud original para reutilizar el revestimiento del East Pond. No se proponen otros cambios a la Petición. De conformidad con el Código 104.418(d) de 35 Ill. Adm., MWG repitió las partes sin cambios de la presentación original, e incorpora por referencia esas porciones, incluida su solicitud de que la Junta de Control de la Contaminación de Illinois encuentre 35 Ill. Adm. Code Part 845 inaplicable al Grassy Field. En la Petición Enmendada, MWG está solicitando un estándar ajustado para el Estanque Oeste para permitir la descontaminación y retención de su revestimiento existente en lugar de la eliminación del revestimiento como se establece en 35 Ill. Adm. Código 845.740 (a). MWG propuso el siguiente lenguaje estándar ajustado: "MWG puede cerrar eliminando y descontaminando todos los áreas afectadas por las liberaciones del West Pond en la estación de Waukegan. La eliminación y descontaminación de CCR del estanque oeste se completa cuando se ha eliminado el CCR en el estanque oeste y cualquier área afectada por las liberaciones del embalse de superficie CCR. MWG debe realizar inspecciones visuales y pruebas analíticas para demostrar que el revestimiento de geomembrana en el estanque oeste no está contaminado con componentes CCR. MWG debe presentar los resultados a la EPA de Illinois". Cualquier persona puede hacer que se celebre una audiencia pública en el procedimiento estándar ajustado descrito anteriormente mediante la presentación de una solicitud de audiencia ante la Junta de Control de la Contaminación de Illinois dentro de los 21 días posteriores a la fecha de publicación de este aviso. La solicitud de audiencia debe indicar el número de expediente para el procedimiento estándar ajustado, como se encuentra en este aviso. La solicitud de audiencia debe enviarse por correo al Secretario, Junta de Control de la Contaminación de Illinois, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601, o presentada electrónicamente a través de COOL, ubicado en el sitio web de la Junta (www.ipcb.state.il.us). Published in Daily Herald/Reflejos Sept. 24, 2021 (4570799)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

**Lake County
Reflejos**

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Lake County REFLEJOS**. That said **Lake County REFLEJOS** is a secular newspaper, published in Libertyville and has been circulated daily in the Village(s) of: Antioch, Bannockburn, Deerfield, Fox Lake, Gages Lake, Grandwood Park, Grayslake, Green Oaks, Gurnee, Hainesville, Hawthorn Woods, Highland Park, Highwood, Indian Creek, Ingleside, Island Lake, Kildeer, Lake Barrington, Lake Bluff, Lake Forest, Lake Villa, Lake Zurich, Lakemoor, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Long Lake, Mundelein, North Barrington, Prairie View, Riverwoods, Round Lake, Round Lake Beach, Round Lake Park, Third Lake, Vernon Hills, Volo, Wadsworth, Waukegan, Wauconda, Wildwood

County(ies) of Lake
and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the Lake County REFLEJOS is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 09/24/2021 in said Lake County REFLEJOS.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD/REFLEJOS NEWSPAPERS

BY *Daula Baltz*
Designee of the Publisher and Officer of the Daily Herald