

BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.

RECEIVED
U.S. E.P.A.

2006 SEP 29 AM 9:46

IN THE MATTER OF:) ENVIR. APPEALS BOARD
)
CITY WATER, LIGHT & POWER)
PERMIT APPLICATION NO. 04110050) PSD APPEAL NO. 06-07
I.D. NO. 167120AA0)

CERTIFIED INDEX OF ADMINISTRATIVE RECORD

1. Construction Permit – PSD Approval, NSPS Emission Unit, date issued August 10, 2006.
2. Calculation Sheet reviewed by Shashi Shah, dated August 10, 2006.
3. Responsiveness Summary for Public Questions & Comments on the Construction Permit Application from Springfield City Water, Light & Power for Proposed Dallman Unit 4, dated August 2006.
4. CWLP Draft Permit Meeting Agenda and attached meeting notes of Chris Romaine, dated October 4, 2003.
5. City Water Light & Power Netting Report, Burns & McDonnell Engineering, dated April 7, 2004.
6. CWLP/IEPA Meeting Agenda New Generation Project, dated April 14, 2004, and attached business cards.
7. CWLP/IEPA Meeting Agenda New Generation Project, dated April 14, 2004, and handwritten notes of Shashi Shah.
8. City Water Light & Power, New Generation Project, Part 2- Preliminary Engineering & Permitting activity schedule generated by Burns & McDonnell Engineering.
9. Black & Veatch, City Water, Light & Power, City of Springfield, Illinois, Future Generation Study.
10. Illinois EPA Weekly Report concerning April 14, 2004, meeting with City Water, Light & Power.
11. Official website of Springfield, Illinois, Future Generation FAQs, Information and comparisons on considerations for CWLP's Future Generation Project.
12. Meeting with the Illinois EPA to discuss the new generation project held at the EPA offices in Springfield, Illinois on April 14, 2004, dated April 27, 2004.

13. Letter from Brian R. Roh, Environmental Scientist, Burns & McDonnell to Richard Nelson, U.S. Fish & Wildlife Service regarding request for comment on proposed City Water Light & Power Project No. 36021, dated July 22, 2004.
14. Letter from Richard Nelson to Brian Roh regarding request for information concerning impacts to federally listed threatened or endangered species as a result of the proposed new construction of a 200 MW power generation facility in Sangamon County, Illinois, dated September 14, 2004.
15. Prevention of Significant Deterioration Construction Permit Application, City Water, Light & Power, Unit 34 Project, 250 MW Pulverized Coal Boiler, Springfield, Illinois, dated November 2004.
16. Fee Determination for Construction Permit Application, dated received November 18, 2004.
17. Appendix C, Emissions Calculations.
18. Receipt of PSD Construction Permit Application and fee by Shashi Shah, dated November 18, 2004.
19. Electronic mail from Chris Romaine to Shashi Shah regarding weekly report - ID 1678120AA0, Application 04110050, dated November 25, 2004, 2:33 PM, and handwritten notes of Shashi Shah.
20. Letter from Shashi Shah to Mike Branham, Illinois DNR, providing PSD application for CWLP's power generation project, dated December 28, 2004.
21. Letter from Shashi Shah to Sandra Silver, U.S. Fish & Wildlife Service, providing PSD application for CWLP's power generation project, dated December 28, 2004.
22. Letter from S. David Farris, Environmental Health & Safety Manager, Office of Public Utilities, City of Springfield, to Donald Sutton, Illinois EPA, regarding expediting spray dryer absorbers and wastewater treatment boiler construction application, dated March 2, 2005, and attachments.
23. Letter from S. David Farris to Donald Sutton regarding expediting spray dryer absorbers and wastewater treatment boiler construction application, dated March 2, 2005, and attachments, including handwritten notes of Shashi Shah.
24. Facsimile cover sheet from Shashi Shah/Chris Romaine to P.J. Becker, CWLP, dated March 11, 2005.
25. Attendance sheet for meeting with CWLP on March 15, 2005, at IEPA.

26. Meeting notes "CWLP – IEPA" of Chris Romaine, dated 3-15-05.
27. Letter from S. David Farris to Donald Sutton regarding expediting spray dryer absorbers and wastewater treatment boiler construction application, dated March 17, 2005, and attached application fees.
28. Letter from S. David Farris to Donald Sutton regarding expediting spray dryer absorbers and wastewater treatment boiler construction application, dated March 17, 2005, and attachments.
29. Request for Additional Information from Donald Sutton to City of Springfield, dated March 18, 2005.
30. Letter from S. David Farris to Donald Sutton regarding supplemental request and justification to formally separate our waste water treatment facility permit application from our boiler construction permit application, dated April 28, 2005.
31. Permit Section Weekly Report, the Week of May 2, 2005.
32. Handwritten note from P.J. Becker to Shashi [Shah] providing two copies of the entire PSD permit application (Revision 1) on CD-Rom, undated, and attached compact discs.
33. Prevention of Significant Deterioration Construction Permit Application (Revision 1) City Water, Light & Power, Dallman Unit 4 Project, 250 MW Pulverized Coal Boiler, Springfield, Illinois, November 2004 (Revised June 2005).
34. City Water Light & Power, Unit 34, Overall Process Flow Diagram by Burns & McDonnell.
35. Electric Power Plant Construction Projects Since 1998, status as of June 10, 2005.
36. Letter from William Murray, Regulatory Affairs Manager, CWLP, to Donald Sutton regarding City of Springfield's response to request for additional information for PSD application (No. 04110050) for addition of new boiler (Dallman Unit 4) at Dallman Station, ID No. 167120AA0, dated June 27, 2005, and attachments.
37. Electronic mail from Chris Romaine to Shashi Shah regarding CWLP project, dated July 27, 2005, 7:56 PM.
38. Letter from Douglas Scott, Director, Illinois EPA, to Todd Renfrow, General Manager, City Water, Light & Power regarding proposed Dallman Unit 4, dated August 31, 2005.
39. Letter from William Murray to Scott Leopold, Illinois EPA regarding City of Springfield revised modeling section of PSD application for addition of new boiler (Dallman Unit 4) at Dallman Station, dated September 1, 2005, and attachments.

40. Letter from William Murray to Scott Leopold regarding cooling tower impact analysis for the Dallman Power Station, City Water, Light & Power, Springfield, Illinois, dated September 2, 2005, and attachments.
41. Illinois DNR Consultation Agency Action Report regarding Dallman Unit 4 project, dated received September 7, 2005.
42. Letter from William Murray to Shashi Shah providing selected portions of the Final Environmental Impact Statement for the proposed Hunter Lake Water Supply Reservoir, dated October 4, 2005, and attachments.
43. Meeting attendance sheet for meeting with CWLP at IEPA on October 4, 2005.
44. Letter from William Murray to Donald Sutton providing City of Springfield Supplemental Additional Impacts Analysis for PSD Application for Addition of New Boiler at Dallman Station, dated October 20, 2005, and attachments.
45. Letter from William Murray to Donald Sutton providing City of Springfield Comments on Draft Permit for PSD Application for Addition of New Boiler at Dallman Station, dated October 20, 2005, and attachments.
46. Letter from William Murray to Donald Sutton providing City of Springfield Comments on Draft Permit for PSD Application for Addition of New Boiler at Dallman Station, dated October 20, 2005, including handwritten notes of Shashi Shah and attachments.
47. Letter from Donald Sutton to Cheryl Newton, Associate Director, Air & Radiation Division, USEPA, Region V, regarding City of Springfield, CWLP, Proposed Dallman Unit 4, request to initiate appropriate consultation under the federal Endangered Species Act, dated October 29, 2005, and attachments.
48. Letter from Donald Sutton to Cheryl Newton, Associate Director, Air & Radiation Division, USEPA, Region V, regarding City of Springfield, CWLP, Proposed Dallman Unit 4, request to initiate appropriate consultation under the federal Endangered Species Act, dated October 29, 2005.
49. Letter from Donald Sutton to Keith Shank, Division of Natural Resources Review and Coordination, Illinois DNR, regarding City of Springfield, CWLP, Proposed Dallman Unit 4, consultation under the Illinois Endangered Species Protection Act, dated November 2, 2005.
50. Letter from William Murray to Donald Sutton regarding City of Springfield's comments on draft permit for PSD application for addition of new boiler at Dallman Station, dated November 3, 2005.
51. Attachment A, Marked-up copy of draft permit, dated received November 3, 2005.

52. Draft permit likely provided to CWLP dated November 4, 2005.
53. Letter from William Murray to Donald Sutton regarding Section 39(f)(3) of the Illinois Environmental Protection Act, dated December 12, 2005.
54. Facsimile from Becki Clayborn, Sierra Club, to Marilyn Clardy, Illinois EPA dated December 13, 2005.
55. Memorandum from Scott Leopold to Chris Romaine regarding CWLP Dallman Unit Number 4 Project, dated December 21, 2005.
56. Letter from Doug Scott to Todd Renfrow regarding initiation of on-site construction of Dallman Generating Station project prior to receipt of a construction permit, dated January 4, 2006.
57. Letter from Sally Carter, Assistant Counsel, Illinois EPA, to Bruce Nilles, Sierra Club, regarding Freedom of Information Act Request for City Water, Light & Power, dated January 19, 2006.
58. Miscellaneous Public Notice Documents.
59. Project Summary for a Construction Permit Application from City Water Light & Power for Dallman Unit 4, Springfield, Illinois .
60. Draft Permit during Public Notice.
61. Letter from Keith Harley, Chicago Legal Clinic to Marilyn Clardy, Illinois EPA, dated February 8, 2006.
62. Letter from Donald Sutton to Keith Harley, dated February 9, 2006.
63. Handwritten telephone notes of Crystal Myers-Wilkins, Hearing Officer, Illinois EPA, dated February 27, 2006.
64. Sierra Club Sangamon Valley Group Monthly Meeting Notice, dated February 28, 2006.
65. Handwritten telephone notes of Crystal Myers-Wilkins beginning date of March 7, 2006 running through March 17, 2006.
66. Letter from S. David Farris to Scott Leopold regarding City of Springfield revised modeling section of PSD application for addition of new boiler revised metal analysis, dated March 17, 2006, and attachments.
67. Letter from S. David Farris to Scott Leopold regarding City of Springfield revised modeling section of PSD application for addition of new boiler at Dallman staton and the wastewater treatment system addition, dated March 17, 2006, and attachments.

68. Handwritten notes of Crystal Myers-Wilkins and informational public hearing opening statement.
69. Sierra Club public hearing notice concerning City Water Light and Power's proposed coal fired power plant.
70. Letter from Crystal Myers-Wilkins to Bruce Nilles regarding Sierra Club's request to extend the public comment period, dated April 13, 2006.
71. Handwritten telephone notes of Crystal Myers-Wilkins beginning date of April 14, 2006 running through April 19, 2006.
72. Memorandum from Scott Leopold to Chris Romaine regarding CWLP Dallman Unit Number 4 Project, dated April 18, 2006.
73. Hearing Officer Order, dated April 20, 2006, extending the public comment period to May 22, 2006.
74. Letter from Sally Carter to Keith Harley, Chicago Legal Clinic, and Bruce Nilles, Sierra Club, regarding Freedom of Information Act Request for City Water, Light and Power, date received February 10, 2006, dated April 20, 2006.
75. Letter from Sally Carter to PJ Becker, City Water, Light & Power, dated May 31, 2006.
76. Letter from Sally Carter to Claire Manning, dated May 31, 2006.
77. Handwritten note from Don Sutton to Chris Romaine, dated June 6, 2006.
78. Letter from Pamela Blakley, Chief, Air Permits Section, Illinois EPA, to Richard Nelson, Field Supervisor, Rock Island Illinois Field Office, United States Fish and Wildlife Service, dated June 13, 2006, and attachment.
79. Meeting Attendance Sheet for CWLP – Sierra Club – Illinois EPA, PSD Permit Application No. 0411005, dated June 27, 2006, and attachments.
80. Letter from Keith Shank, Division of Ecosystems & Environment, Illinois DNR, to Donald Sutton regarding City Water Light & Power PSD Air Permit, Springfield, Sangamon County Endangered Species Consultation Program, Natural Heritage Database Review #06-04801, dated July 5, 2006.
81. Facsimile from Sally Carter to Jenifer Johnson, City of Springfield Corporation Counsel, dated July 14, 2006.
82. Letter from Donald Sutton to Chris Wetterich, State Journal-Register, dated July 18, 2006

83. Letter from Donald Sutton to Charlie Northrup, dated July 20, 2006.
84. Letter from Donald Sutton to PJ Becker, dated July 31, 2006.
85. Facsimile from Bill Murray to Sally Carter providing Addendum to Attachment 5.3 of the Settlement Agreement, dated 8/8.
86. Letter from Mary Gade to Donald Sutton concerning Additional Requirements for PSD Permit No. 01110050, dated August 10, 2006, and attachments.
87. Notice of Final Permit Decision – Proposed Dallman Unit 4.

Public Comments

88. Registration and Mailing Lists from March 22, 2006, Public Hearing.
89. Transcript from Public Hearing concerning Construction Permit/PSD Approval to City, Water, Light and Power, dated Wednesday, March 22, 2006, 7 pm, Southeast High School, 2350 E. Ash, Springfield, Illinois.
90. Letter from John Haines, Business Agent, United Association of Journeymen & Apprentices of the Plumbing & Piping Industry of the United States and Canada, Local #137, dated February 8, 2006.
91. Illinois EPA Public Hearing concerning the Construction Permit/PSD Approval to City, Water, Light & Power, Springfield, March 22, 2006, Statement of Phillip M. Gonet, President, Illinois Coal Association.
92. Comment of Marilyn LaChance to the Illinois EPA Hearing Officer, Crystal Myers-Wilkins, dated March 28, 2006.
93. Letter from Bruce Nilles to Laurel Kroack, Illinois EPA, requesting extension of public comment period, dated April 5, 2006, and attachment.
94. Letter from John and Peggy Knoepfle to Crystal Miers-Wilkins, Hearing Officer, dated April 13, 2006.
95. Comment of Benita Kitching to Crystal Miers-Wilkins, Hearing Officer, dated April 17, 2006.
96. Comment of Portia Hoekstra to Crystal Miers-Wilkins, Hearing Officer, dated April 17, 2006.
97. Comment of Nancy Junker to Crystal Miers-Wilkins, Hearing Officer, dated April 18, 2006.

98. Letter from Lawrence Trutter to Illinois EPA, dated April 18, 2006.
99. Letter from S. David Farris to Crystal Myers-Wilkins, dated April 19, 2006.
100. Letter from Claire Manning, Brown, Hay & Stephens to Crystal Myers-Wilkins, dated April 20, 2006.
101. Letter from Eric Hadley-Ives to Illinois EPA, dated April 21, 2006.
102. Letter from Jerome Stone to Crystal Myers-Wilkins, date received April 24, 2006.
103. Comment of Peggy Sower Knoepfle to Crystal Miers-Wilkins, Hearing Officer, dated April 29, 2006.
104. Letter from John Sanford to Crystal Myers-Wilkins, Illinois EPA Hearing Officer, dated May 22, 2006.
105. Letter from Clark Bullard to Crystal Myers-Wilkins, Hearing Officer, dated 22 May 2006.
106. Letter from Paul Wagner to The Honorable Crystal Myers-Wilkins, dated May 22, 2006.
107. Springfield CWLP Air Quality Permit Application to IEPA for Pulverized Coal Fired Electric Generation Power Plant from citizen residing at 1712 W. Glenn, Springfield, Illinois.
108. Letter from Clean Air Task Force to Crystal Myers-Wilkins, Hearing Officer, dated May 22, 2006, and attachments.
109. Facsimile from Peter Wagner to The Honorable Crystal Myers-Wilkins, dated May 22, 2006.
110. Letter from Peter Wagner to The Honorable Crystal Myers-Wilkins, dated May 22, 2006.
111. Letter from Keith Harley, Chicago Legal Clinic, to Crystal Myers-Wilkins, Hearing Officer, dated May 22, 2006, and attachments.
112. Letter from Bruce Nilles, Sierra Club, to Crystal Myers-Wilkins, Hearing Officer, dated May 22, 2006, and attachments.
113. Miscellaneous Undated Documents.
114. Joint Construction & Operating Permit Number 01070019.
115. Miscellaneous Elevation Data.

116. PM10 Increment Consumption Inventory.
117. 2002 & 2003 Acid Rain Data.
118. Miscellaneous ICEMAN Data.
119. AP-42 - 13.2.1 Paved Roads.
120. A Screening Procedure for the Impacts of Air Pollution Sources on Plants, Soils & Animals.
121. PSD Delegation Agreement with the Illinois EPA.
122. Illinois Air Quality Report 2000.
123. Illinois Air Quality Report 2001.
124. Illinois Air Quality Report 2002.
125. Illinois Air Quality Report 2003.
126. Illinois Air Quality Report 2004.
127. Technical Support Document for Reducing Mercury Emissions from Coal – Fired Electric Generating Units, March 14, 2006.
128. Miscellaneous Emails.

General Reference Material

129. Air Quality Information
130. Alternatives – Prairie State Brief
131. Analysis of Alternatives
132. Assessing the Impact on the St. Louis Ozone Nonattainment Demonstration from Proposed Electrical Generating Units in Illinois.
133. Capitol Power Plant
134. City of Chicago
135. Collection of Data Reviewed concerning PM and other Emissions.

136. Cost of Alternatives
137. CWLP Bond Offerings
138. CWLP – Compliance
139. CWLP - Dallman Emissions Information
140. CWLP – Energy Efficiency
141. CWLP – Historic SO₂ Revision
142. CWLP – NO_x Averaging
143. CWLP – Requested Guarantees
144. Demonstration of Pulse – Jet Fabric Filters for Utility High-Sulfur Coal Applications
145. Fugitive Dust
146. Gasification Conference
147. IGCC – Duke (Cinergy)
148. IGCC – Financing
149. IGCC – Johnson Memo +
150. IGCC – Miscellaneous
151. IGCC – Presentation
152. USEPA Technical Report, July 2006 – IGCC
153. Information Generated in review of FL data base concerning particulate matter emissions
154. MACT
155. MACT Rulemaking for Industrial Boilers
156. Meteorological/Monitoring Information
157. Midwest Energy Efficiency Alliance
158. Miscellaneous Information Concerning Coal-Fired Power Plants

159. Miscellaneous Information Compiled from GA and TX permitting actions
160. Miscellaneous Materials
161. Miscellaneous Opinions & Briefs
162. Miscellaneous Technical Comparison Documents
163. NESHAPS for Industrial Process Cooling Towers; Final Rule
164. New Source Review Workshop Manual
165. PSD – Netting Exercise
166. Particulate – Condensables
167. Particulate Matter Condensables - Measurement
168. Particulate Matter – Condensables Rate
169. Particulate Matter – Continuous Emissions Monitoring
170. Continuous Monitoring – PM
171. Particulate – Indeck Data
172. Particulate – Material Handling
173. Particulate Matter – Burns & McDonnell Paper
174. Public Hearing Binder – Chris Romaine
175. Renewable Portfolio Standard
176. Repowering the Midwest – The Clean Energy Development Plan for the Heartland
177. Sierra Club
178. Silt Sampling
179. SO₂ Scrubbers
180. SO₃ Control
181. Sulfuric Acid Mist

182. Sulfuric Acid Mist – Southern Company
183. Sulfuric Acid Mist – Sorbent Injection
184. Sulfuric Acid Mist – Testing
185. Taylorville Energy Center – Portion of April 2006 Application
186. Ultra-Low Sulfur Diesel
187. USEPA-IEPA Delegation of Authority – PSD
188. Wabash River
189. Wind Power
190. Wind Horizon

191. Miscellaneous reference material concerning the permitting of Assorted Plants.
192. Miscellaneous reference material concerning the permitting of AES Puerto Rico.
193. Miscellaneous reference material concerning the permitting of Cash Creek.
194. Miscellaneous reference material concerning the permitting of Cedar Falls – Streeter.
195. Miscellaneous reference material concerning the permitting of City Utilities of Springfield (Missouri) Southwest Station – Unit 2.
196. Miscellaneous reference material concerning the permitting of Comanche 3.
197. Miscellaneous reference material concerning the permitting of East Kentucky Power Coop – Spurlock 4.
198. Miscellaneous reference material concerning the permitting of ERORA Group – Taylorville Energy Center.
199. Miscellaneous reference material concerning the permitting of Indeck Elwood – USEPA Briefs.
200. Miscellaneous reference material concerning the permitting of Indeck Elwood.
201. Miscellaneous reference material concerning the permitting of Intermountain Power – Unit 3.

202. Miscellaneous reference material concerning the permitting of Kansas City Power & Light, Hawthorne 5.
203. Miscellaneous reference material concerning the permitting of Kansas City Power & Light, IATAN Power Project.
204. Miscellaneous reference material concerning the permitting of Kentucky Mountain Power.
205. Miscellaneous reference material concerning the permitting of Longleaf Energy.
206. Miscellaneous reference material concerning the permitting of Longview Power.
207. Miscellaneous reference material concerning the permitting of Louisville Gas & Electric Trimble Country 2.
208. Miscellaneous reference material concerning the permitting of Mid American Energy.
209. Miscellaneous reference material concerning the permitting of Midwest Generation – Collins.
210. Miscellaneous reference material concerning the permitting of Montour.
211. Miscellaneous reference material concerning the permitting of Newmont Nevada Energy.
212. Miscellaneous reference material concerning the permitting of Northampton.
213. Miscellaneous reference material concerning the permitting of Omaha Public Power Nebraska City – Unit 2.
214. Miscellaneous reference material concerning the permitting of Otter Tail Power – Big Stone.
215. Miscellaneous reference material concerning the permitting of Plum Point Energy.
216. Miscellaneous reference material concerning the permitting of Rentech.
217. Miscellaneous reference material concerning the permitting of Roquette America – Keokuk, Iowa.
218. Miscellaneous reference material concerning the permitting of Roundup Power.
219. Miscellaneous reference material concerning the permitting of San Antonio – Spruce 2 (City Public Service).

220. Miscellaneous reference material concerning the permitting of Sand Sage – Holcomb 2.
221. Miscellaneous reference material concerning the permitting of Santee Cooper – Cross 3 & 4.
222. Miscellaneous reference material concerning the permitting of Sevier Paver Company.
223. Miscellaneous reference material concerning the permitting of Thoroughbred Generating Co.
224. Miscellaneous reference material concerning the permitting of Tuscon Electric Springerville.
225. Miscellaneous reference material concerning the permitting of TXU Generation – Lake Creek Unit 3.
226. Miscellaneous reference material concerning the permitting of W.A. Parish.
227. Miscellaneous reference material concerning the permitting of Wisconsin Electric – Elm Road Generating Station.
228. Miscellaneous reference material concerning the permitting of Wisconsin Public Service – Weston 4.
229. Miscellaneous reference material concerning the permitting of Wygen 2.

STATE OF ILLINOIS
COUNTY OF SANGAMON

AFFIDAVIT

I, Scott Leopold, being first duly sworn, depose and state that the following statements set forth in this instrument are true and correct, except as to matters therein stated to on information and belief and, as to such matters, the undersigned certifies that he believes the same to be true:

1. I am employed by the Illinois Environmental Protection Agency (“Illinois EPA”) as a modeling analyst for the Division of Air Pollution Control’s (“DAPC”) Air Quality Planning Section located at 1021 North Grand Avenue East, Springfield, Illinois. I have been employed by the Illinois EPA since December 1988.

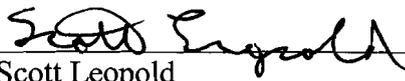
2. As a modeling analyst for the Illinois EPA’s Air Quality Planning Section, my primary responsibility is to conduct modeling in support of the Illinois State Implementation Plan (“SIP”), and secondarily to review air quality modeling analyses for permit or related applications. In this regard, I am familiar with the applicable requirements for SIP development modeling and modeling to support the Prevention of Significant Deterioration Program.

3. As part of my responsibilities, I participated in the Illinois EPA’s review of a permit application, Permit Application No. 04110050, involving City Water, Light and Power (“CWLP”), the municipal utility of the City of Springfield, and its proposed construction of a new coal-fired electrical generating unit (Dallman 4) with a nominal electrical capacity of 250 megawatts, at its existing power plant adjacent to Lake Springfield in Sangamon County, Illinois. Specifically, I reviewed modeling information submitted as part of the permit application.

4. Since becoming the assigned modeling analyst for this application, I have maintained responsibility for the modeling file and have overseen the management of all documents, as they were acquired, that related to the modeling portion of the permit application. Such documents included materials pertaining to the modeling information submitted as part of the permit application, written correspondence and other documents needed to evaluate all modeling information, and extraneous materials assembled by myself and other Illinois EPA personnel during the course of modeling review.

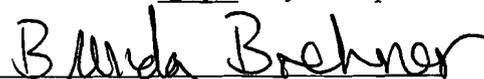
5. Based on my review of the modeling file for the CWLP project, I have identified individual documents, including attachments thereto, and miscellaneous materials (some of which have been categorized by subject matter) that were directly or indirectly relied upon by the Illinois EPA in review of the modeling information submitted as part of the permit application and the resulting permit issuance. I am thus able to certify that those documents are identified in the Administrative Record that has been prepared for the pending appeal before the Environmental Appeals Board.

Further affiant sayeth not.



Scott Leopold

Subscribed and sworn
To Before Me this 27th Day of September 2006





STATE OF ILLINOIS
COUNTY OF SANGAMON

AFFIDAVIT

I, Shashi Shah, being first duly sworn, depose and state that the following statements set forth in this instrument are true and correct, except as to matters therein stated to on information and belief and, as to such matters, the undersigned certifies that he believes the same to be true:

1. I am employed by the Illinois Environmental Protection Agency ("Illinois EPA") as a permit analyst for the Division of Air Pollution Control's ("DAPC") Air Permits Section located at 1021 North Grand Avenue East, Springfield, Illinois. I have been employed by the Illinois EPA since April 1987.

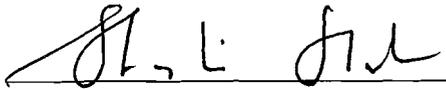
2. As a permit analyst for the Illinois EPA's Utility Unit, my primary job responsibility is to conduct reviews of permit applications involving the utility projects. In this regard, I am familiar with the various air emission units and pollution control technologies associated with operations of coal-fired power plants. I am also familiar with the applicable environmental regulatory and permitting requirements for the utility projects, including, but not limited to, the Prevention of Significant Deterioration program. Among other things, I work closely with, and at the direction of, my supervisor, Mr. Christopher Romaine, Manager, Utility Unit, to prepare draft and final versions of construction and operating permits. I am also involved in directing communications with permit applicants and interested person in the permitting process, and researching, as necessary, available records and documents related to my review of permit applications and other associated work tasks.

3. As part of my responsibilities, I became the assigned permit analyst in the Illinois EPA's review of a permit application, Permit Application No. 04110050, involving City Water, Light and Power ("CWLP"), the municipal utility of the City of Springfield and its proposed construction of a new coal-fired electrical generating unit (Dallman 4) with a nominal electrical capacity of 250 megawatts, at its existing power plant adjacent to Lake Springfield in Sangamon County, Illinois. I was assigned the permit application shortly after it was received by the Illinois EPA on November 18, 2004.

4. Since becoming the assigned permit analyst for this application, I have maintained responsibility for the application file and have overseen management of all documents, as they were acquired, that related to the permit application. Such documents included materials pertaining to the permit application, including written correspondence and other documents needed to evaluate the permit application, and extraneous materials assembled by Mr. Romaine, myself and other Illinois EPA personnel during the course of permit review.

5. Based on my review of the application file for the CWLP project, I have identified individual documents, including attachments thereto, and miscellaneous materials (some of which have been categorized by subject matter) that were directly or indirectly relied upon by the Illinois EPA in review of the permit application and the resulting permit issuance. I am thus able to certify that those documents are identified in the Administrative Record that has been prepared for the pending appeal before the Environmental Appeals Board.

Further affiant sayeth not.


Shashi Shah

Subscribed and sworn
To Before Me this 28 Day of September 2006



