



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217-782-5544

February 16, 2010

Via CDX

Eurika Durr, Clerk of the Board
Environmental Appeals Board
U.S. Environmental Protection Agency
Colorado Building
1341 G Street, N.W. Suite 600
Washington, D.C. 20005

Re: *Power Holdings of Illinois, L.L.C.*
PSD Appeal No. 09-04

Dear Ms. Durr:

Please find attached the *Certified Index of the Administrative Record* and *Affidavit of Robert Smet* that was assembled by the Illinois Environmental Protection Agency ("Illinois EPA"). Notice of this submission is being mailed to all individuals shown in the attached service list.

If you have any questions or concerns regarding this matter, please do not hesitate to contact me at (217)782-7326. Thank you for your attention to this matter.

Sincerely,

Laurel L. Kroack
Chief, Bureau of Air

Mailing List

First Class Mail:

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I hereby certify that copies of the foregoing were sent to the following persons on this date, February 16, 2010.



Brenda Jones
Executive Secretary II

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

In re:)
)
Power Holdings of Illinois, LLC) PSD APPEAL NO. 09-04
)
Permit No. 081801AAF)

CERTIFIED INDEX OF ADMINISTRATIVE RECORD

Power Holdings of Illinois, LLC, permit application

1. Letter and attached PSD permit application from Power Holdings of Illinois, LLC, (“PHI”) to Illinois EPA, dated October 18, 2007.
2. Email from PHI to Illinois EPA, dated November 1, 2007, and attached power point presentation, entitled “Southern Illinois Coal-to-SNG – Illinois EPA Update,” dated October 18, 2007.
3. Permit supplement from PHI, Errata List, dated December 26, 2007.
4. Permit supplement from PHI, Errata List, dated January 29, 2008.
5. Permit supplement from PHI relating to Table of Contents and auxiliary boiler, dated May 12, 2008.
6. Permit supplement from PHI relating to Part Load Operations - Emissions, dated August 7, 2008.
7. Permit supplement from PHI relating to Cooling Tower Emissions Calculations, dated August 18, 2008.
8. Permit supplement from PHI relating to Permit Input, dated August 22, 2008.
9. Permit supplement from PHI relating to Off-Normal Operations, dated August 22-28, 2008.
10. Permit supplement from PHI relating to PM2.5 Permit Input, dated August 30, 2008.
11. Permit supplement from PHI relating to Post-Rectisol Malfunction – Air Permitting, dated September 3, 2008.

12. Permit supplement from PHI relating to Roadway Operations – Emissions, dated October 10, 2008.
13. Permit supplement from PHI relating to Project Construction Schedule, dated October 10, 2008.
14. Permit supplement from PHI relating to Equipment Leak Calculation Summary exhibit, dated October 20, 2008.
15. Permit supplement from PHI, hand-written revisions to HAPs Summary Table, Exhibit 215, dated October 20, 2008.
16. Permit supplement from PHI, entitled “BACT-ERRATA – SUPPLEMENTS,” dated October 21, 2008.
17. Permit supplement from PHI, hand-written revisions to Facility Wide Annual Emissions in Table 3, dated October 17, 2008.
18. Permit supplement from PHI, hand-written revisions to Facility Wide Annual Emissions in Table 3, dated October 21, 2008.
19. Permit supplement from PHI, entitled “BACT-ERRATA – SUPPLEMENTS,” dated October 27, 2008.
20. Email from PHI relating to review of flares and AP-42 emission factors, dated October 27, 2008.
21. Permit supplement from PHI, draft outline for comments relating to New Coal Receiving and Storage PM Emissions Modeling Report, dated October 29, 2008.
22. Permit supplement from PHI, entitled “Flare Emissions – Evaluations,” dated November 5, 2008.
23. Permit supplement from PHI, entitled “Flare Emissions – Evaluations,” dated November 12, 2008.
24. Permit supplement from PHI, consisting of document entitled “AERMOD Addendum Report,” dated November 2008 and dated received November 14, 2008.
25. Permit supplement from PHI, consisting of cover letter, dated November 19, 2008, and attached “AERMOD Addendum Report,” dated November 18, 2008.
26. Permit supplement from PHI, entitled “BACT-ERRATA – SUPPLEMENTS – NOx from the Syngas Clean-up /Acid Gas Removal Units,” dated November 20, 2008.

27. Permit supplement from PHI, entitled “BACT-ERRATA – SUPPLEMENTS – NOx from the Syngas Clean-up /Acid Gas Removal Units,” dated November 21, 2008.
28. Permit supplement from PHI consisting of forms for Fuel Combustion Emission Unit Data and Information, and Request to Continue to Operate During Malfunction or Breakdown, dated received November 21, 2008.
29. Permit supplement from PHI, entitled “ERRATA – SUPPLEMENTS – FULL-final,” dated December 17, 2008.
30. Letter requesting public hearing and attached Fee Determination for Construction Permit Application from PHI, dated December 22, 2008.
31. Letter containing Full Supplemental Information and Errata from PHI, dated December 31, 2008.
32. Permit supplement from PHI entitled “Update on Status of CO2 Control Option,” dated December 31, 2008.
33. Permit supplement from PHI relating to general specifications for natural gas, undated.

Public hearing

34. Hearing transcript of March 3, 2009, public hearing, and attached invoice of transcript recording, dated March 9, 2009.
35. File containing registration and mailing lists submitted at public hearing.
36. File of Hearing Documents entered by Hearing Officer at public hearing, Exhibits 1-14.
37. Written and emailed requests from Clean Air Task Force requesting extension of time of public comment period, dated March 17, 2009.
38. Hearing Officer Order extending public comment period, dated March 31, 2009.
39. File containing copy of electronic public comments regarding draft permit – Becki Clayborn (on behalf of Sierra Club), dated May 1, 2009; James Gignac (on behalf of Sierra Club), concerning error in written comments, dated May 7, 2009; Mark Singer, dated April 2, 2009; and Jon Waldman, dated April 7, 2009.
40. File containing written public comments – Randy Janowski, three comments dated received March 11, 2009, dated March 25, 2009, and dated March 31, 2009; Linda Borowiak, dated March 30, 2009; Bill Boyd, dated March 29, 2009; Andre R. Heijnen, dated March 23, 2009; Hank Eisenga (on behalf of Continental Tire North America), dated April 22, 2009; Tom Cox (on behalf of Coldwell Banker), dated April 10, 2009; Shannon Bradham (on behalf of Cedarhurst), received April 13, 2009; Chris Johnson (on

behalf of Walgreens), received April 13, 2009; Robert White (on behalf of Bob White Insurance Agency), received April 15, 2009; Marie Wyciskalla, dated April 15, 2009; James Borowiak, dated March 30, 2009; Janice Rae Rehmus, dated March 25, 2009; Patrick and Jean Kujawa, received May 5, 2009; Yvonne Eater, dated March 31, 2009; Eugene and Cheryl Bogucki, dated April 1, 2009; Julie Black, dated March 31, 2009; Daniel Spotanski, dated April 1, 2009; Bernice Janowski, dated March 31, 2009; Mary C. Lamie (on behalf of Illinois Department of Transportation), dated March 31, 2009; John D. Thompson, dated May 1, 2009; Judy Spotanski, received May 1, 2009; Mark E. Singer (on behalf of Green America Project), two comments dated April 2, 2009, and dated May 4, 2009; Dr. James Underwood (on behalf of Kaskaskia College), dated February 27, 2009; Brandon Bullard (on behalf of Jefferson County Chamber of Commerce), received February 27, 2009; Thomas E. Caliper (on behalf of Egyptian Building and Construction Trades Council), dated February 27, 2009; Curt D. Mowrer ((on behalf of Jefferson County Chamber of Commerce), received March 2, 2009; Mary Jane Chesley, Mayor (on behalf of City of Mt. Vernon), dated February 25, 2009; Don and Norma Richardson, dated March 7, 2009; Amy Spotanski, dated March 3, 2009; Jerry F. Costello and John M. Shimkus, Members of Congress, dated March 2, 2009; Jennifer Rusiewski-Middleton, dated March 5, 2009; Sharon K. Rusiewski, dated March 5, 2009; Form letter in support of PHI project signed by numerous persons, received April 15, 2009, April 17, 2009, April 28, 2009, April 30, 2009, May 1, 2009, May 2, 2009, and May 5, 2009; Ann Brewster Weeks (on behalf of Clean Air Task Force), dated May 4, 2009; and James P. Gignac (on behalf of Sierra Club), dated May 5, 2009.

41. File containing Hearing Officer miscellaneous correspondence/emails.
42. File containing handouts from Sierra Club's presentation at public hearing.
43. Hand-written notes from public hearing generated by Chris Romaine, Permits Section/DAPC.

Permit review

44. Notice of comment period and public hearing relating to PHI project.
45. File containing Illinois EPA working drafts of Project Summary - two undated versions and one working draft of PHI's red-lined comments from October 23, 2008.
46. PHI comments to drafts of Project Summary – dated February 5, 2008, October 23, 2008 and December 1, 2008, and two undated versions.
47. Final Project Summary for PHI Project.
48. File containing Illinois EPA working drafts of permit – dated April 4, 2008 (two versions); September 24-30, 2008 (two versions from PHI's redlined comments); October 13-16, 2008 (version from PHI redlined comments); October 30, 2008; November 21, 2008; November 21, 2008

(version from PHI redlined comments); December 6, 2008; December 26, 2008; September 16, 2009 (two versions); October 10, 2009; October 15, 2009 (two versions); October 16, 2009; October 26, 2009; and six undated versions.

49. File containing PHI red-lined comments to various drafts of permit – dated April 10-29, 2008 (as attached to May 2, 2008 email from PHI); October 13-16, 2008; November 5, 2008 (received November 14, 2008, and specific to pages 16, 17, 19, 21 and Table 1-1); November 19, 2008 (received November 21, 2008, and specific to Conditions 4.4.2 and 4.4.6); November 21, 2008 (as received); December 15, 2008; December 22, 2008; and two undated versions, one of which was attached to April 19, 2008 email from PHI.
50. Draft Construction Permit/PSD Approval/NSPS Emissions Units for PHI Project issued for public notice.
51. Memorandum from Matthew Will, AQPS/DAPC, to Bob Smet, Permits Section/DAPC, regarding air quality analysis for PHI project, dated March 3, 2009.
52. File of materials assembled by Matthew Will – Selected excerpts from PHI October 17, 2007, permit application; Permit supplement from PHI, consisting of cover letter, dated November 19, 2008, and attached “AERMOD Addendum Report,” dated November 18, 2008.
53. File of assembled background documents – general information: copy of Johnson CO2 memorandum, USEPA guidance memorandum relating to steam reforming gasification system, a narrative discussion of resolution of definition issues from USEPA’s website, and a copy of USEPA’s responsiveness summary for Desert Rock Energy project.
54. File of assembled background documents on boilers: a narrative discussion of PFI/PFT boilers from the Babcock & Wilcox Company’s website and an article concerning boilers manufactured by Rentech from the company’s website.
55. File of assembled background documents for preparation of draft permit: a reference to emission factors from Table 1.4-3 from the AP 42, Compilation of Air Pollution Emission factors (July 1998), two USEPA guidance memoranda concerning NSPS applicability for sulfuric acid plants, guidance for calculating cooling tower emissions from South Coast Air Quality Management District, a USEPA report on cooling device drift [EPA-600/7-79-251a], a page excerpt from 45 F.R. at 52695 (August 7, 1980) and a reference to footnotes from a PSD permit for Corn Products International.
56. File of assorted newspaper articles relating to PHI project: seven articles from Mt. Vernon Register-News’ website, including one incomplete article, and an article from The Southern’s website.

57. File of supporting documents relating to Sierra Club comments: excerpt on Paved Roads, Section 13.2.1, from Miscellaneous Sources (November 2006), EAB ruling on Rockgen Energy Center, PSD Appeal No. 99-1, Section 5.0 Estimation of Control Efficiencies for Equipment Leak Control Techniques from AP 42, Compilation of Air Pollution Emission factors (1995), and Volume II: Chapter 4 from a November 1996 final report on fugitive emissions from equipment leaks by Eastern Research Group.
58. File containing miscellaneous hand-written notes and comments produced by Bob Smet, Chris Romaine and others.
59. Permit reviewer's "calculations sheet," authored by Bob Smet, dated October 26, 2009.
60. Permit review traveler's sheet and copy of page 1 of final Construction Permit – PSD Approval – NSPS Emissions Unit issued to PHI on October 26, 2009.
61. Completeness review worksheet for construction permit fees.
62. File containing two letters relating to IDOT's involvement at March 3, 2009, public hearing.
63. File containing written correspondence between PHI and IHPA relating to National Historic Preservation Act of 1966, dated April 8, 2008 and April 17, 2008.
64. Letter from PHI to IDNR relating to Threatened and Endangered Species Habitat Assessment, dated April 8, 2008.
65. File containing written and email correspondence between PHI and USEPA/Region V relating to PSD Class I analysis – Email from PHI copied to Illinois EPA relating to PSD Class 1 modeling protocol, dated January 18, 2008; Email from PHI copied to Illinois EPA, dated January 25, 2008, and February 5, 2008 (including attached file for a Presentation file for Federal Land Managers); Email from PHI copied to Illinois EPA, dated February 4, 2008, and attached PSD Class I Modeling Protocol, dated January 2008; Letter from PHI requesting No Observed Effects Level (NOEL) determination from USEPA/Region V, copied to Illinois EPA, dated March 15, 2008; Letter from PHI supplementing NOEL request, copied to Illinois EPA, dated March 28, 2008; Email from PHI copied to Illinois EPA, dated March 28, 2008.
66. Email correspondence relating to USEPA/Region V review of Endangered Species Act.
67. USEPA/Region V comments to draft permit.
68. Open letter from PHI to Citizens of Jefferson and Washington County relating to local requests for information and clarification, dated May 4, 2009.

69. File containing Mostardi-Platt letter regarding D.C.E.O. funding for outstanding invoice stemming from contractual dispute.
70. File containing miscellaneous excerpts from PHI application (i.e. duplicates).
71. File containing miscellaneous emails relating to PHI project.
72. Illinois Coal-Fired Electric Power Plant Fact Sheets, produced by the Illinois EPA, dated October 1, 2008.
73. Excerpt from Section 821 of CAA.
74. EAB ruling in Deseret Power Electric Cooperative, PSD Appeal No. 07-03.
75. File relating to CO2 emissions – CO2 (Greenhouse Gases) proposed reporting rule: news release from USEPA, USEPA background narrative of greenhouse gas reporting rule and draft of proposed USEPA rule for mandatory reporting of greenhouse gases.
76. File relating to CO2 emissions – Delaware Rule No. 1144: copy of Regulation No. 44, No. 47, Section 3.0 of Regulation No. 25, copy of USEPA proposed rule for approving a SIP revision at 73 F.R. 11845 and USEPA final rule at 73 F.R. 23101.
77. File relating to CO2 emissions – IPCC: a narrative discussion about IPCC from IPCC website and a brief narrative on background from Almaz website.
78. Sierra Club petition for reconsideration of Johnson CO2 memorandum.
79. File relating to CO2 emissions – Wisconsin rules: copy of regulations at Chapter NR 438.03 and NR 407, excerpt from 40 C.F.R. §52.2570 and excerpt from 40 C.F.R. §75.5.
80. Executive Summary of Report of Illinois Climate Change Advisory Group.
81. File relating to CO2 emissions – Jackson February 17, 2009, reconsideration letter of Johnson CO2 memorandum and Sierra Club February 6, 2009, letter to Illinois EPA regarding illegality of Johnson memorandum.
82. Excerpt of definitions section found at 40 C.F.R. §60.751.

83. File relating to CO2 emissions – USEPA news release on proposed endangerment finding for greenhouse gases, a Wall Street Journal article from April 24, 2009, a Washington Post article from March 24, 2009, a Chicago Tribune article from March 24, 2009, a New York Times article from September 24, 2008, and an article from InsideEPA website from March 19, 2009.
84. A narrative discussion on coal and climate change facts from the Pew Center of Global Climate Change.
85. A June 2001 technical report for co-burning biomass in Wisconsin prepared for Division of Energy Wisconsin Department of Administration.
86. Proposed USEPA rule for measurement of filterable PM10 and PM2.5 and condensable PM from 74 F.R.at 12969-13012 (March 25, 2009).
87. Proposed USEPA rule for SIP implementation of PM2.5 found at 70 F.R. 65984 (November 1, 2005).
88. File containing information relating to PM2.5 grandfathering rule: USEPA fact sheet and Jackson April 24, 2009, reconsideration letter to Sierra Club.
89. USEPA guidance memorandum concerning improving NSR implementation discussing top-down concept for BACT.
90. File containing information relating to particulate control technology: a narrative discussion of technologies found at Module 6: Air Pollutants and Control Techniques – Particulate Matter – Control Techniques from USEPA’s website, an article from the Institute of Clean Air Companies’ website⁴, a narrative discussion from the Portland Cement Association’s website on cement manufacturing and miscellaneous excerpts relating to particle diameter and control efficiencies.
91. File containing information relating to Newmont Nevada Energy Investment PSD project: a press release, EAB ruling in Newmont Nevada Energy Investment, LLC, PSD Appeal No. 05-04, and copy of PSD Operating Permit to Construct No. AP4911-1349.
92. File containing information relating to Ohio River Clean Fuels project: a narrative discussion of project from Green Car Congress, a narrative discussion of project from Beard Energy, a press release, a presentation from Beard Energy from March 2009, excerpts from permit application and copy of a draft permit issued by Ohio EPA.

93. File containing materials relating to biomass – availability: two documents obtained from USDOE and one document obtained from Energy Information Administration.
94. File containing materials relating to biomass – Bay Front Power Plant project: a news release, a current issues article, a narrative discussion of Bay Front project and a report from the Energy Center of Wisconsin.
95. File containing materials relating to biomass – Progress Energy project: a narrative discussion of biomass projects from Progress Energy’s website and an article from PRWeb’s website relating to a Biomass Gas & Electric biomass plant and a narrative discussion of a Florida project from Biomass Gas & Electric’s website.
96. File containing materials relating to biomass – biomass resources: a factsheet article from Biofuels, an article on national feedstock availability from a bioenergy website, an article on transportation logistics, an August 31, 2005, planning document from the USDOE and an April 2005 report from the USDOE.
97. A 1981 article on combustion/boiler design published by Combustion Engineering, Inc.
98. A December 2008 addendum to the PSD permit application for Cash Creek project.
99. Draft Phase I Report (revised 2008) from Federal Land Managers’ Air Quality Related Values Workgroup (FLAG).
100. File containing materials relating to climate change – background: a cost curve article from The McKinley Quarterly and an article on technological solutions from the Pew Center on Global Climate Change.
101. File containing materials relating to climate change – Illinois initiatives: Illinois Executive Order 2006-11, news release concerning Climate Change Advisory Group from a state government website and a February 2007 presentation from Illinois DCEO.
102. A graph relating to historical global CO2 emissions from the website of Pew Center on Global Climate Change.
103. File containing information relating to CO2 offsets: an article by Friends of the Earth, a Grist article from September 2009 and three news articles from the websites of Bloomberg, USA Today and Google.

104. File containing information relating to CO2 pipelines: a presentation from Denbury Onshore, LLC, an email from Bill Hoback concerning an Illinois CO2 pipeline report and a June 2009 report from Illinois DCEO.
105. File containing information relating to CO2 sequestration: an article on status of geologic and terrestrial field projects from a USDOE website and a June 2008 presentation from National Energy Technology Laboratory.
106. USEPA document regarding Protocols for Generating Unit-Specific Emission Estimates for Equipment Leaks of VOC and VHAP (October 1988)[EPA-450/3-88-010].
107. File containing cooling tower emissions calculations from PHI, a technical report on calculating PM10 emissions from cooling towers and a November 1979 technical report from USEPA [EPA-600/7-79-251a].
108. File containing information relating to flaring: a June 2008 presentation from USDOE, an article from the International Flare Consortium's website, a CFR excerpt from Part 60.103a, a narrative discussion from Miscellaneous Sources (1991), a narrative discussion obtained from the Midwest Regional Carbon Sequestration Partnership's website, an overview of a regulation from Bay Area Air Quality Management District's website and an article obtained from Allianz's website.
109. File containing information relating to gasification of biomass: an article on thermochemical conversion processes from USDOE's website, an article on biomass gasification from USDOE's website and an April 2004 technical article from ECN [ECN-C-04-039].
110. File containing information relating to geological structures: excerpts from DNR report by W. John Nelson, including two depictions of faults in Illinois [Bulletin 100 1995].
111. File containing information relating to life cycle analysis: a technical report on use of energy resources for electricity generation and miscellaneous data obtained from Energy Information Administration.
112. File containing information relating to miscellaneous PM2.5 air quality impacts: three tables of sampling data from Illinois monitoring stations, hand-written notes relating to background averages at Baldwin and McLeansboro monitoring stations, and a site map of Ten Mile Creek wildlife area.
113. File containing copy of materials obtained from PHI's internet website: a narrative discussion of the company, a press release about the project, and a presentation from March 2009 on the project.

114. File containing information relating to roadway emissions: two technical reports from USEPA [EPA-450/3-88-008 and EPA 832-F-99-003], a narrative discussion from Miscellaneous Sources (1991) and an article relating to high efficiency street sweepers from Worldsweeper's website.
115. File containing information relating to modeling analysis: a technical report from USEPA [EPA-454/R-99-005], a website article on the NWS forecast office in Paducah, Kentucky, a narrative discussion and map of Barkley Regional Airport from Wikipedia's website and a file map of Blissville Township from Wikimedia Commons' website.
116. A print-out of Rend Lake demographics from a Rend Lake website.
117. A website article from University of Iowa Center for International Finance and Development relating to the rule of law.
118. EAB ruling in Russell City Energy Center, PSD Appeal No. 08-01.
119. Press release on Illinois Senate Bill 1987.
120. Proposed rule for significant impact levels published at 72 F.R. 54112.
121. Petition filed before EAB objecting to use of Wehrum Oil and Gas memorandum in a Title V permit to Shell Offshore Inc.'s Kulluk Drilling Unit.
122. Press release and fact sheet of PSD and Title V greenhouse gas tailoring rule from USEPA's website.
123. File containing information relating to a Nevada-based coal-fired power plant: a narrative on Nevada coal plant proposals from WesternResources' website, a relief map of Nevada from state government website, a narrative discussion about Nevada from Wikipedia's website, maps of Dunphy, Nevada from MapQuest's website and an excerpt from the TOQUOP permit application relating to on-site paved roads.
124. File containing information relating to Trimble County Generating project: USEPA Administrator's order on a Title V petition in matter of Louisville Gas and Electric Company, Petition No. IV-2008-3, and a copy of notice of final order at 74 F.R. 48731.
125. File containing information relating to White Pine Energy Station project: a narrative discussion from SourceWatch's website, excerpts from an April 2007 Draft EIS (Vol.1) from BLM [DES 07-19], a February 2009

determination by Nevada Division of Environmental Protection, and a letter and attached comments of USEPA/Region IX to draft EIS.

126. Hard-bound copy of report, entitled "Gasification Overview" and dated September 15, 2009, presented to Illinois EPA by Gas Technology Institute.
127. File containing draft responsiveness summary responses.
128. Draft of Notice of Final Permit Decision letter, dated October 26, 2009.
129. Final Notice of Final Permit Decision letter, dated October 26, 2009, and accompanying mailing list.
130. Final Responsiveness Summary for PHI project.
131. Final Construction Permit – PSD Approval – NSPS Emission Units issued October 26, 2009 for PHI project.

STATE OF ILLINOIS
COUNTY OF SANGAMON

AFFIDAVIT

I, Robert Smet, 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") Permits Section located at 1021 North Grand Avenue East, Springfield, Illinois, and hold a PhD in engineering mechanics. I have been employed by the Illinois EPA since 1992.

2. As part of my job responsibilities, I was assigned the review of a permit application, Permit Application No.07100063, involving Power Holdings of Illinois, L.L.C., ("Power Holdings") and its proposed construction of a synthetic natural gas plant near Waltonville, Jefferson County, Illinois. By virtue of my review of the application and the resulting issuance of a state Construction Permit - Prevention of Significant Deterioration Approval – NSPS Emissions Unit to Power Holdings on October 26, 2009, I am familiar with the materials contained within the permit files relating to the project.

3. I have reviewed the Certified Index of the Administrative Record and, to the best of my knowledge and belief, I find that it is complete and contains that information relied upon by the Illinois EPA in its final permit decision.

Further affiant sayeth not.

Robert P. Smet

Subscribed and Sworn
To Before Me this 2nd Day of February 2010.

Dawn A. Hollis

