

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

IN THE MATTER OF:)
CHRISTIAN COUNTY GENERATION, LLC)
APPLICATION NUMBER: 05040027) **PSD APPEAL: PSD 12-01**
PSD PERMIT NUMBER: 02106ACB)

**CHRISTIAN COUNTY GENERATION, LLC
MOTION FOR LEAVE TO INTERVENE**

Pursuant to Rule 40 C.F.R. § 124.19 and Environmental Appeals Board Practice Manual § IV.D.4, Christian County Generation, LLC (“Christian County”) hereby moves for leave to intervene in the petition for review filed by Natural Resources Defense Council and Sierra Club (“Petitioners”). The petition for review involves the decision by the Illinois Environmental Protection Agency (“IEPA”) to issue a Prevention of Significant Deterioration (“PSD”) permit to Christian County to construct a facility to produce substitute natural gas and generate electricity in Christian County, Illinois. The petition alleges that the IEPA issued the PSD permit without factual or legal basis.

As the Permittee, Christian County has a direct interest in the proceedings relating to the permit and the petition. Disposition of the action may as a practical matter impair or impede Christian County’s ability to protect that interest. Because permittees have a clear interest in an appeal of their permit, they are routinely allowed to participate as intervenors. *See Practice Manual* at 45-46 (EAB September 2010) (citing cases).

Counsel for Christian County was unable to determine the positions of Petitioners and the IEPA regarding this motion after making a reasonable effort under the circumstances to do so.

For the foregoing reasons, Christian County respectfully requests that this Board grant Christian County leave to intervene in this proceeding.

Respectfully submitted,

/S/

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Dated this 11th day of June, 2012

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of June, 2012, copies of the foregoing Motion of Christian County Generation, LLC for Leave to Intervene were served by first class mail, postage prepaid to:

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