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ENVIR. APPEALS BOARD

Elizabeth A. Leifel
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September 20, 2006

VIA FEDERAL EXPRESS

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

Re: City of Springfield
Permit No. 167120AAO
PSD Permit Appeal No. 06-07

Dear Ms. Durr:

Enclosed for filing is one original and five copies of the City of Springfield's Motion For Leave To Intervene in the above-captioned matter.

Sincerely,

Elizabeth A. Leifel

Enclosures

cc: Ms. Jenifer Johnson, Esq. (w/encl.)
Mr. Jay Bartlett (w/encl.)
Ms. Mary Gade, Esq. (w/encl.)

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

2006 SEP 21 AM 9:44
ENVIR. APPEALS BOARD

**IN THE MATTER OF:)
CITY OF SPRINGFIELD)**

**APPEAL NUMBER: PSD 06-07
APPLICATION NUMBER: 04110050
PSD PERMIT NUMBER: 167120AAO**

CITY OF SPRINGFIELD'S MOTION FOR LEAVE TO INTERVENE

In accordance with the Environmental Appeals Board Practice Manual § III.D.4, the City of Springfield, a Municipal Corporation (the "City"), hereby moves for leave to intervene in the Petition for Review filed by Mr. David Maulding pursuant to 40 C.F.R. §124.19. The Petition for Review involves the decision by the Illinois Environmental Protection Agency ("IEPA") to issue a Prevention of Significant Deterioration ("PSD") permit to the City to construct a 250 MW coal-fired electric generating unit at its power plant, known as City Water, Light & Power ("CWLP") located in Springfield, Sangamon County, Illinois. The petition is premised on the argument that IEPA issued the PSD permit without adequate factual or legal basis.

The City is the permittee. As the permittee, the City has a direct interest in the proceeding relating to the review of the permit. Disposition of the action without the City's intervention would result in prejudice to the City by not affording it the ability to protect its interest through participation in the review process.

For this reason, the City hereby respectfully requests that the Board grant the City leave to intervene in this proceeding and that the Board serve all correspondence in this matter upon the City's undersigned counsel, Mary A. Gade and Sonnenschein Nath & Rosenthal LLP.

Dated September 20, 2006

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL LLP

By: 
Attorneys for the City of Springfield,
a Municipal Corporation.

Mary A. Gade
Elizabeth A. Leifel
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CERTIFICATE OF SERVICE

I the undersigned, an attorney, hereby certify that on the 20th day of September, 2006, service of a true and complete copy of the **City of Springfield's Motion For Leave To Intervene** was made upon the following parties:

Sally Carter, Esq.
Office of General Counsel
Illinois Environmental Protection Agency
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, IL 62794

Bruce Nilles
Sierra Club
122 West Washington Ave., Suite 830
Madison, WI 53703

Donald M. Craven, Esq.
Counselors at Law
1005 North Seventh Street
Springfield, IL 62702

by depositing the same in the U.S. Mail.

A handwritten signature in cursive script, appearing to read "Elizabeth Seif", written over a horizontal line.