

AFFIDAVIT

I, Julie K. Armitage, 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 she believes the same to be true:

1. I am employed by the Illinois Environmental Protection Agency ("Illinois EPA") as the Managing Attorney, Air Enforcement Unit, for the Division of Legal Counsel located at 1021 North Grand Avenue East, Springfield, Illinois. I have been employed by the Illinois EPA since March 1990.

2. As Managing Attorney for the Illinois EPA's Air Enforcement Unit, my primary responsibility is to oversee and supervise the work of the air enforcement attorneys, whose primary duties range from initiating enforcement matters, responding to legal questions posed by Bureau of Air staff and responding to Freedom of Information Act requests to defending the Illinois EPA in eligibility determinations, permit and trade secret/confidential business information appeals, adjusted standard and variance proceedings and handling the Illinois EPA's provisional variance requests. I have the added responsibility of handling my own enforcement matters and responding to a multitude of legal questions from the Bureau of Air staff.

3. Two of my staff attorneys include Ms. Sally Carter and Mr. Robb Layman, the attorneys assigned to the defense of the January 2005 and April 2005 Construction Permit – PSD Approvals issued by the Illinois EPA to Prairie State Generating Company, LLC ("Prairie State") before the Environmental Appeals Board

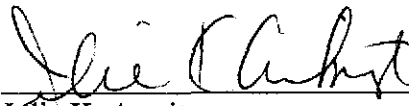
("Board"). In this regard, I am familiar with the permittee, Prairie State, and its proposed construction of a 1500 MW mine-mouth coal-fired power plant in Washington County, Illinois. (Permit Application No. 01100065).

3. As part of my responsibilities, I participated in a settlement meeting encouraged by the Board between the Illinois EPA and the Prairie State Petitioners, et al., including counsel for the Sierra Club, Mr. Bruce Nilles and a representative of American Bottom Conservancy, Ms. Kathy Andria. See, *In re Prairie State Generation Station*, PSD Appeal No. 05-02, slip op. at 7, fn. 6 (EAB, March 25, 2005) (hereinafter "*Prairie State I*").

4. In the April, 2005 meeting prior to the Illinois EPA's April 28, 2005, issuance of the Construction Permit – PSD Approval to Prairie State, the parties discussed the notice underlying the Prairie State I decision. This discussion facilitated changes to the notice issued on April 28, 2005, as compared to the notice issued on January 21, 2005.

Such modifications incorporated into the April 28, 2005 notice included informing commenters that copies of the final permit decision and Responsiveness Summary could be obtained by contacting the Illinois EPA by telephone (including a toll-free telephone number), facsimile or electronic mail, by visiting the local repositories, or by visiting the Illinois EPA's website. *See*, Respondent's Exhibit 2 and 3. During the April 2005 meeting, neither the Sierra Club or American Bottom Conservancy expressed an objection to this approach.

Further affiant sayeth not.



Julie K. Armitage

Subscribed and sworn
To Before Me this 25th Day of September 2007

