

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)	
)	
STANDARDS FOR THE DISPOSAL OF)	R 2020-19
COAL COMBUSTION RESIDUALS IN)	(Rulemaking -Land)
SURFACE IMPOUNDMENTS:)	
PROPOSED NEW 35 ILL. ADM.)	
CODE PART 845)	

NOTICE OF FILING

TO: All Parties on Attached Service List

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board the Pre-Filed Testimony of Michael Wagstaff, copies of which are herewith served upon you.

Respectfully submitted,
**AmerenEnergy Medina Valley Cogen, LLC and
Union Electric Company, d/b/a Ameren Missouri**

Dated: August 27, 2020

By: /s/ Claire A. Manning

BROWN, HAY & STEPHENS, LLP
Claire A. Manning (Reg. No. 3124724)
Anthony D. Schuering (Reg. No. 6333319)
205 S. Fifth Street, Suite 1000
P.O. Box 2459
Springfield, IL 62705-2459
(217) 544-8491
cmanning@bhslaw.com
aschuering@bhslaw.com

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Pre-Filed Testimony of Michael Wagstaff, were electronically filed on August 27, 2020 with the following:

Respectfully submitted,
**AmerenEnergy Medina Valley Cogen, LLC and
Union Electric Company, d/b/a Ameren Missouri**

Dated: August 27, 2020

By: /s/ Claire A. Manning

BROWN, HAY & STEPHENS, LLP
Claire A. Manning (Reg. No. 3124724)
Anthony D. Schuering (Reg. No. 6333319)
205 S. Fifth Street, Suite 1000
P.O. Box 2459
Springfield, IL 62705-2459
(217) 544-8491
cmanning@bhslaw.com
aschuering@bhslaw.com

SERVICE LIST

<p>Don Brown, Clerk of the Board Don.brown@illinois.gov Vanessa Horton, Hearing Officer Vanessa.Horton@illinois.gov Illinois Pollution Control Board James R. Thompson Center Suite 11-500 100 West Randolph Chicago, Illinois 60601</p>	<p>Stefanie N. Diers – Assistant Counsel Stefanie.diers@illinois.gov Christine M. Zeivel – Assistant Counsel Christine.zeivel@illinois.gov Illinois Environmental Protection Agency 1021 N. Grand Ave., East, P.O. Box 19276 Springfield, Illinois 62794-9276</p>
<p>Virginia I. Yang - Deputy Counsel virginia.yang@illinois.gov Nick San Diego - Staff Attorney nick.sandiego@illinois.gov Robert G. Mool bob.mool@illinois.gov Paul Mauer - Senior Dam Safety Eng. Paul.Mauer@illinois.gov Renee Snow - General Counsel renee.snow@illinois.gov Illinois Department of Natural Resources One Natural Resources Way Springfield, IL 62702-1271</p>	<p>Matthew J. Dunn, Chief mdunn@atg.state.il.us Stephen Sylvester Sr. Asst. Attorney General ssylvester@atg.state.il.us Andrew Armstrong, Chief aarmstrong@atg.state.il.us Kathryn A. Pamenter KPamenter@atg.state.il.us Office of the Illinois Attorney General 69 West Washington Street, Suite 1800 Chicago, IL 60602</p>
<p>Michael L. Raiff mraiff@gibsondunn.com Gibson Dunn and Crutcher, LLP 2001 Ross Avenue, Suite 2100 Dallas, TX 75201</p>	<p>Alisha Anker - V.P. Reg. & Market Affairs aanker@ppi.coop Prairie Power 3130 Pleasant Run Springfield, IL 62711</p>
<p>Michael Smallwood Msmallwood@ameren.com Ameren 1901 Choteau Ave. St. Louis, MO 63103</p>	<p>Cynthia Skrukrud Cynthia.Skrukrud@sierraclub.org Jack Darin Jack.Darin@sierraclub.org Christine Nannicelli christine.nannicelli@sierraclub.org Sierra Club 70 E. Lake Street, Ste. 1500 Chicago, IL 60601-7447</p>
<p>Jeffrey Hammons Jhammons@elpc.org Environmental Law & Policy Center 1440 G Street NW Washington, DC 20005</p>	<p>Chris Newman newman.christopherm@epa.gov USEPA Region 5 77 West Jackson Blvd. Chicago, IL 60604</p>

<p>Melissa Legge mlegge@earthjustice.org Earthjustice 48 Wall Street, 15th Floor New York City, NY 10005</p>	<p>Mark A. Bilut mbilut@mwe.com McDermott, Will & Emery, LLP 227 West Monroe Street Chicago, IL 60606-5096</p>
<p>Kim Knowles kknowles@prairierivers.org Andrew Rehn arehn@prairierivers.org Prairie Rivers Network 1902 Fox Drive, Suite 6 Champaign, IL 61820</p>	<p>Abel Russ – Attorney aruss@environmentalintegrity.org Environmental Integrity Project 1000 Vermont Avenue NW, Suite 1100 Washington, DC 20005</p>
<p>Kiana Courtney KCourtney@elpc.org Environmental Law and Policy Center 35 E. Wacker Drive, Suite 1600 Chicago, IL 60601</p>	<p>Jennifer Cassel jcassel@earthjustice.org Thomas Cmar tcmar@earthjustice.org Earthjustice 311 South Wacker Drive, Suite 1400 Chicago, IL 60606</p>
<p>Keith I. Harley kharley@kentlaw.edu Daryl Grable dgrable@clclaw.org Chicago Legal Clinic, Inc. 211 West Wacker Drive, Suite 750 Chicago, IL 60606</p>	<p>Mychal Ozaeta mozaeta@earthjustice.org Earthjustice 707 Wilshire Blvd., Suite 4300 Los Angeles, CA 90017</p>
<p>Deborah Williams Regulatory Affairs Director deborah.williams@cwlp.com City of Springfield Office of Public Utilities 800 East Monroe, 4th Floor Municipal Bldg. East Springfield, IL 62757-0001</p>	<p>Alec M Davis - Executive Director adavis@ierg.org Jennifer M. Martin jmartin@heplerbroom.com Kelly Thompson kthompson@ierg.org IERG 215 E. Adams St. Springfield, IL 62701</p>
<p>Stephen J. Bonebrake sbonebrake@schiffhardin.com Joshua R. More jmore@schiffhardin.com Ryan C. Granholm rgranholm@schiffhardin.com Schiff Hardin, LLP 233 South Wacker Drive Suite 6600 Chicago, IL 60606-6473</p>	<p>Susan M. Franzetti sf@nijmanfranzetti.com Kristen Laughridge Gale kg@nijmanfranzetti.com Vincent R. Angermeier va@nijmanfranzetti.com Nijman Franzetti, LLP 10 South LaSalle Street, Suite 3600 Chicago, IL 60603</p>

<p>Faith Bugel fbugel@gmail.com 1004 Mohawk Wilmette, IL 60091</p>	<p>Walter Stone - Vice President Walter.Stone@nrg.com NRG Energy, Inc. 8301 Professional Place, Suite 230 Landover, MD 20785</p>
<p>Melissa S. Brown melissa.brown@heplerbroom.com Jennifer M. Martin Jennifer.Martin@heplerbroom.com HeplerBroom, LLC 4340 Acer Grove Drive Springfield, IL 62711</p>	

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)
)
STANDARDS FOR THE DISPOSAL OF) R 2020-19
COAL COMBUSTION RESIDUALS IN) (Rulemaking -Land)
SURFACE IMPOUNDMENTS:)
PROPOSED NEW 35 ILL. ADM.)
CODE PART 845)

PRE-FILED TESTIMONY OF MICHAEL WAGSTAFF

My name is Michael J. Wagstaff. I have been employed by Ameren Corporation since 2008 as a Consulting Engineer, Dam Safety and Hydro Engineering ("Dam Safety"). I am a licensed professional engineer in both Missouri (1995) and Illinois (1997), and graduated in 1990 from the University of Missouri with a Bachelor of Science in Civil Engineering. In 2012, I completed my accreditation as a Project Management Professional. Prior to joining Ameren, I worked for several engineering firms (Jacobs Engineering, Civil Design Inc., and Kennedy Associates), as well as the U.S. Army Corps of Engineers - Kansas City District.

The Dam Safety group is responsible for the closure of ash ponds located in Illinois and Missouri and the design and construction of landfills. As part of my duties, I was the project manager responsible for the closure of ash ponds at Hutsonville and Meredosia, two former coal-fired power plants located in Illinois. As project manager, I am responsible for all aspects of the closure project ranging from overseeing all engineering design, scheduling, budget development and cost control and supervision of all construction and vendor activities. Prior to joining Ameren Missouri, I was employed by Ameren Energy Resources (AER), a subsidiary of Ameren Corporation, who owned and operated generating plants in Illinois including the Hutsonville and Meredosia Energy Centers. Following AER's divestiture of its generation holdings, ownership of various real property including the Hutsonville and Meredosia ash ponds passed to AmerenEnergy Medina Valley Cogen, LLC, a subsidiary of Ameren Corporation.

Hutsonville. The Hutsonville Energy Center was retired from service in December 2011. There were five (5) ash ponds at Hutsonville: Ponds A, B, C, D, and the Bottom Ash Pond. Ash Pond D closed in 2012 pursuant to closure and post-closure requirements contained in a site-specific rulemaking initiated by Ameren and adopted by the Illinois Pollution Control Board (IPCB) in 2011. I was the project manager for that closure construction project. The Illinois Environmental Protection Agency (IEPA) and Ameren agreed that 35 Ill. Adm. Code Part 840 would be the framework for subsequent closure projects at Hutsonville and Meredosia. At Hutsonville, Ameren dewatered and removed all ash byproduct from smaller ponds (Ponds B, C and Bottom Ash Ponds) and deposited those materials into Pond A. Pond A was then capped and covered in accordance with the performance requirements established in the Pond D rulemaking (Part 840). IEPA approved the Hutsonville Closure Plan in 2015.

Meredosia. The Meredosia Generating Station was retired from service in December 2011. At Meredosia, Ameren dewatered and removed ash byproducts from the bottom ash pond and deposited same on the fly ash pond. IEPA approved the Meredosia Closure Plan in 2017.

Following closure, Construction Quality Assurance Reports were submitted to IEPA for both facilities and approved by IEPA.

Set forth below is a table depicting costs associated with the closure and post closure care:

	HUTSONVILLE		MEREDOSIA
	Ponds A, B, C and Bottom Ash	Pond D	Fly and Bottom Ash
CLOSURE	\$4.2M	\$5.3M	\$12.1M
POST-CLOSURE Cumulative Costs	\$59K	\$250K	\$15K
POST-CLOSURE Estimated Annual Costs (excluding IEPA Fees)	\$60K per year	\$60K per year	\$75K per year

CONCLUSION

This concludes my Pre-filed Testimony. I will supplement as necessary, and I am prepared to address questions.