

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) No. R20-19
) (Rulemaking-Land)
Standards for the Disposal)
of Coal Combustion)
Residuals in Surface)
Impoundments: Proposed New)
35 Ill. Adm. Code 845)

REPORT OF THE PROCEEDINGS held in the
above entitled cause before Hearing Officer
Vanessa Horton, called by the Illinois Pollution
Control Board, taken by Steven Brickey, CSR, RMR,
for the State of Illinois, 1021 North Grand Avenue
East, Springfield, Illinois, on the 12th day of
August, 2020, commencing at the hour of 5:00 p.m.

1 HEARING OFFICER HORTON: Okay. Good
2 evening. Welcome to the Pollution Control Board
3 public comment portion of this hearing.

4 My name is Vanessa Horton and I
5 am the Hearing Officer for this rulemaking
6 proceeding entitled Rulemaking for Proposed New 35
7 Illinois Administrative Code 845: Standards for
8 the Disposal of Coal Combustion Residuals in
9 Surface Impoundments. The Board docket number for
10 this rulemaking is R20-19.

11 Hearings in this matter are
12 being held in Springfield and via Webex on August
13 11th, 12th and 13th. The July 14th, 2020, Hearing
14 Officer order designated times to be set aside for
15 public comments and now is one of those times.
16 This evening beginning right now we'll be hearing
17 from members of the public in 15-minute segments.
18 I've separated out the individual members of the
19 public into 15-minute segments. I ask that you
20 limit yourself to three-minute comments.

21 We will have a stopwatch here
22 letting us know when three minutes has passed and
23 I will politely let you know that time has passed.
24 So we are beginning right now with the 5:00 to

1 5:15 segment and I'd like to call on Ms. Alice
2 Englebretsen first. Ms. Englebretsen, are you
3 there? If you're participating via Webex, you'll
4 have --

5 MS. ENGLEBRETSEN: I am, yes.

6 HEARING OFFICER HORTON: Wonderful.

7 MS. ENGLEBRETSEN: Can everyone hear
8 me?

9 HEARING OFFICER HORTON: Yes.

10 Please go ahead.

11 MS. ENGLEBRETSEN: Okay. All right.

12 My name is Alice Englebretsen and I live in
13 Urbana, Illinois and I'm a long-time volunteer
14 activist with the local Sierra Club. I'm also
15 fortunate enough to live within 30 miles of the
16 magnificent Kickapoo State Park and the Middle
17 Fork of the Vermilion River, the only national
18 scenic waterway in Illinois.

19 This river is a very precious
20 natural resource -- resource threatened now by the
21 retired Dynegy fire and coal plant. The Dynegy
22 coal plant let a very dangerous coal ash pond in
23 the floodplain of this natural treasure and it is
24 miserably leaking into the river. It must be

1 protected for ourselves and future generations.

2 Dynergy made lots of money in the
3 years of operation and should pay to clean up
4 their use of this precious land and the valuable
5 natural resource it is and it should not be the
6 local taxpayers. The Middle Fork is a treasure
7 and a public asset that best needs protecting.
8 Your job is to regulate pollution. The coal ash
9 along the Middle Fork is only one location where
10 there are many dangerous pollution wastes and they
11 are stored along river banks and other susceptible
12 places.

13 But there are many more
14 high-risk coal ash plants than the one in the
15 Middle Fork of the Vermilion River. I encourage
16 the panel to consider this a moral issue and to
17 protect the river from coal ash pollution for our
18 future generations. Thank you.

19 HEARING OFFICER HORTON: Thank you
20 very much, Ms. Englebretsen.

21 Moving on to Ms. -- sorry.
22 Moving on to Amy Kitzmiller. Are you on the line?
23 If Ms. Amy Kitzmiller is on the line, you'll have
24 to unmute yourself to speak. I'll skip over

1 Ms. Kitzmiller just for a second and I will return
2 at the 5:15 mark.

3 Ms. April Sedall, are you on the
4 line? Ms. April Sedall, S-E-D-A-L-L. Okay. If
5 you're not participating via video and you're a
6 call-in user, you can press Star 6 to unmute
7 yourself.

8 MS. PRAGMORE: Okay. Now, I'm --
9 I'm just here to just attend.

10 HEARING OFFICER HORTON: Just to
11 attend okay. And this was Ms. Sedall?

12 MS. PRAGMORE: No, this is Jan
13 Pragmore of the Middle Fork.

14 HEARING OFFICER HORTON: Wonderful.
15 Okay. Thank you very much.

16 MS. PRAGMORE: I just --

17 HEARING OFFICER HORTON: I'm sorry.
18 We'll just mute you if you are just attending.

19 MS. PRAGMORE: Yeah. Right. I'll
20 just mute myself, too.

21 HEARING OFFICER HORTON: Okay.
22 Thanks. I appreciate it.

23 MS. PRAGMORE: Thank you.

24 HEARING OFFICER HORTON: Okay.

1 Ms. Arlene McFadden. Ms. Arlene McFadden,
2 M-C-F-A-D-D-E-N. Okay. We'll move on.

3 Ms. Barbara Beckler, are you on the line?

4 Ms. Barbara Beckler. Okay. Moving on

5 Ms. Carolyn -- I'm sorry. Carolyn Trimble.

6 MS. TRIMBLE: Yes, I'm here. I
7 think I've been muted myself. Can you hear me?

8 HEARING OFFICER HORTON: Yes, we can
9 hear you great. Please go ahead.

10 MS. TRIMBLE: Thank you for allowing
11 me to speak. When I was 10 or 11 years old and
12 just learning to really clean my own room, I think
13 that maybe if I kept the drawer closed or if no
14 one looked under the bed or turned on the lights,
15 the fingerprints and dust could escape notice. My
16 mother quickly taught me otherwise. Hanging up my
17 clothes and making my bed were not enough. Clean
18 meant being able to withstand bright lights and
19 scrutiny from all directions.

20 Now, the energy companies are
21 trying my own tactics. Maybe if they just cover
22 the wet ash containment ponds over or put a little
23 more dirt or where chemicals are leaching out into
24 the clean water, it will be good enough. It

1 won't.

2 Near Danville, the Middle Fork
3 is a delightful river to canoe on. Going back
4 after several years of absence we found something
5 new. As we looked at the banks near the takeout
6 point in Kickapoo Park, we were alarmed to see the
7 body of colors of chemicals leaching into the
8 river. The coal ash ponds from the Vermilion
9 Power Station are so close to the river that the
10 leachate seeps into Illinois' only national scenic
11 river just above a spot where many people enjoy
12 canoeing, rafting and splashing in the river
13 water.

14 Capping in place is not a
15 lasting solution. It does not address the
16 pollution of the groundwater and, thus, all
17 streams, rivers and lakes but what leaches out of
18 these sides and the bottoms of the pit. Even
19 linings are not designed to last forever and they
20 don't. Cleanup is not complete until the ash is
21 no longer wet and can no longer get into the water
22 table. We need and deserve a permanent solution.
23 Something guaranteed to keep coal ash away from
24 our river and our air for 30 years means we have

1 just left the problem for our grandchildren.

2 While it is difficult now to get
3 the energy companies to pay to clean up their
4 messes, in 30 years it will be impossible.

5 Cleanly stated, rules and standards must be set
6 and clear mechanism for enforcement set out.

7 Permanent disposal of new ash as well as existing
8 ash dumps, ponds, et cetera is requisite -- I
9 couldn't hear you.

10 HEARING OFFICER HORTON: You can
11 continue. It was just a little bit of feedback.

12 MS. TRIMBLE: Okay.

13 HEARING OFFICER HORTON: You can
14 keep going.

15 MS. TRIMBLE: Is requisite for
16 protecting the health of all wetlands. Thank you
17 for allowing me to speak.

18 HEARING OFFICER HORTON: Thank you
19 very much, Ms. Trimble. All right. I'm going to
20 go back to the people in this 15-minute segment
21 that we missed. First, Ms. Amy Kitzmiller and,
22 again, if you are on video, on Webex, you can
23 press the microphone button to unmute yourself.
24 If you are calling in from your phone, you can

1 press Star 6 to unmute yourself.

2 Ms. Kitzmiller. Okay. Moving
3 on to April Sedall. Ms. Sedall. Okay. Moving on
4 to Arlene McFadden. Arlene McFadden. Okay.
5 Moving on to Barbara Beckler. Ms. Beckler. Okay.
6 I will go back to these four individuals at the
7 end of the session and perhaps they will be on at
8 that point, but no problem.

9 It's four minutes before 5:15,
10 but I will start the 5:15 to 5:30 segment of names
11 right now.

12 Is Krista Haberkorn on? Krista
13 Haberkorn, H-A-B-E-R-K-O-R-N. Okay. Christina
14 Krost.

15 MS. KROST: I'm here.

16 HEARING OFFICER HORTON: Great.

17 MS. KROST: Thank you. My name is
18 Christina Krost. I'm a Southern Illinois outreach
19 coordinator for Faith in Place which is an
20 interfaith environmental justice organization.
21 I'm a person of faith, a mother and a concerned
22 citizen. I appreciate the chance to submit my
23 comments about why we need strong coal ash rules
24 to protect human health and the environment for

1 all Illinoisians.

2 My husband is a United Methodist
3 pastor and in our denomination we move around to
4 different churches as our bishop assigns. My
5 family and I have lived in several communities
6 around Illinois: Tuscola, Iola, Harrisburg and
7 now Mattoon. In the eight years that we've lived
8 and served in Illinois, we have never lived more
9 than 35 miles away from a coal ash pond or a coal
10 fired power plant.

11 I have three daughters and my
12 oldest developed respiratory issues when we moved
13 to Harrisburg, battling pneumonia twice in a
14 one-year span. We tried medication, underwent
15 testing, visited a pediatric pulmonologist, all
16 great financial costs even with insurance, but
17 that's another conversation.

18 I can't say that her problems
19 related directly to the environmental impacts, but
20 neither can I dismiss it completely. As a mother
21 and a person of faith, I believe I am called to
22 love and protect my neighbor and help build
23 healthier communities.

24 As I have done my research, I

1 have learned pollutants like thallium, cobalt,
2 arsenic, boron, lithium and selenium are present
3 at unsafe levels in coal ash pits and can leach
4 into groundwater. These can cause reproductive
5 and developmental problems, harm the heart,
6 thyroid, cause cancer, neurological damage, low
7 birth weight and stunted growth and all of these
8 pollutants are toxic to plant and animal life.

9 I support the proposed rules
10 like strong groundwater monitoring standards and
11 worker protections for the creation of safety and
12 health plans and thank you for including these key
13 protections in the rulemaking so far, but I ask
14 the IEPA and the Pollution Control Board to
15 regulate coal ash dumps and fill in addition to
16 impoundments.

17 By leaving them out of the
18 rulemaking, we are only solving part of the
19 problem. I'm asking for stronger worker
20 protections like dust protection, exposure
21 reduction and safe transportation of coal ash.
22 The proposed rule uses the IEPA's EJ Start tool to
23 identify environmental justice communities, but
24 that tool leaves out some of the most impacted

1 communities. So the final rule should use the
2 U.S. EPA's environmental justice screening to
3 identify environmental justice communities.

4 Only then can we begin to
5 account for cumulative impacts on sensitive or
6 vulnerable population and please also consider
7 ways to engage non-English speaking populations
8 like offering interpretation at meetings and
9 translation of materials. You have a chance to
10 assure safe drinking water and clean air for my
11 children and your children and the next generation
12 to come by creating strong coal ash rules.

13 You must assure the communities
14 are not abandoned by polluters who refuse
15 responsibility for their pollution by blaming each
16 other. Closure and cleanup plans must consider
17 cumulative impacts of pollution on communities.
18 Thank you for working to protect our shared land,
19 air and water.

20 HEARING OFFICER HORTON: Thank you
21 very much for your comment. Next, we have David
22 Ullrich.

23 MR. ULLRICH: Thank you so much. My
24 name is Dave Ullrich. I spent 30 years with the

1 U.S. Environmental Protection Agency in Chicago,
2 the last ten of which I was Deputy Regional
3 Administrator, which is essentially the Chief
4 Operating Officer and then for 14 years I ran
5 Mayor Daley's Great Lakes and St. Lawrence Cities
6 Initiative.

7 Coal ash pits present a very
8 significant risk to human health and the
9 environment and I commend Illinois EPA for
10 proceeding with regulations to implement the new
11 law. Dam impoundments and impoundment failures of
12 Michigan, Wisconsin, Tennessee, North Carolina
13 Brazil and Colorado are clear evidence of the
14 serious risks that is presented. The proposed
15 rules are a good start, but need to be tightened.
16 There need to be clear, understandable
17 requirements that the regulated community can
18 understand and that can be enforced.

19 First, no coal ash pits should
20 be located in wetlands, floodplains, close to
21 surface water or in a location where it could
22 contaminate groundwater. Any existing pits in
23 these locations should be closed and removed, if
24 necessary. I highly doubt that five feet above

1 the groundwater table is protected, especially in
2 permeable soils.

3 Environmental justice
4 communities must be strongly taken into account on
5 any siting. The standard should be no release of
6 any contaminates to the groundwater, surface water
7 or air. The regulated community can certainly
8 understand that rule. Any release must require
9 prompt corrective action and imposition of
10 appropriate penalties.

11 A second violation must require
12 closure in place or removal to a no discharge
13 location and appropriate penalties. The
14 requirements must apply to existing coal ash pits,
15 whether operating or not, and to new pits. Design
16 and construction must be of the highest quality
17 and closely monitored and inspected by the
18 regulators during construction and after.

19 Operation must also be closely
20 monitored and inspected with meaningful frequent
21 reporting by the operator. Closure and
22 postclosure monitoring must be closely monitored
23 by the regulatory agency and if problems arise,
24 action taken.

1 There must be adequate financial
2 assurance that stays with the property regardless
3 of ownership and for as long as there might be a
4 problem. That might be forever. Illinois
5 taxpayers should never be stuck with the bill.
6 Stricter regulations are only as good as the
7 willingness of the owners and operator to comply
8 and the regulator to hold people accountable for
9 violations. The current deplorable state of
10 affairs with federal environmental regulations
11 should not keep Illinois from protecting its
12 people and natural resources. Thank you for this
13 opportunity to speak today.

14 HEARING OFFICER HORTON: Thank you
15 very much for your comment, sir. Moving on to
16 David Blood. David Blood, B-L-O-O-D. As a
17 reminder, if you are participating on video, you
18 can unmute yourself with the microphone button at
19 the bottom of your screen. If you are calling in
20 on the telephone, you can unmute yourself with
21 Star 6. I'll move on to Donna Hriljac. I
22 apologize for any mispronunciation.
23 H-R-I-L-J-A-C.

24 MS. HRILJAC: Yes, I'm here and if

1 you've got it right, I'd be absolutely shocked.

2 HEARING OFFICER HORTON: Thank you.

3 Please proceed.

4 MS. HRILJAC: Okay. I'm writing to
5 you as a person who has lived with coal ash my
6 entire life. I was born on the southside of
7 Chicago. At five years of age our family moved
8 close to the Stickney plant and that was because
9 my father worked close to it. My 11th birthday
10 was spent in La Rabida Hospital. I was there with
11 an autoimmune disease and I was there for over
12 four months. I am a breast cancer survivor. Last
13 year, my two sisters died. And I was not in the
14 worst of worst places even though I was surrounded
15 by coal ash piles.

16 My niece lives near the Waukegan
17 plant. Waukegan has a large ash fill. The berm
18 has been built out of coal ash and is located next
19 to Lake Michigan. Pretty dangerous. Coal ash
20 piles need to be cleaned up, removed and then
21 covered safely. Many of us have lived and died
22 complement to these plants. I hope it is time to
23 put an end to these and thank you for the
24 opportunity to speak. Thank you.

1 HEARING OFFICER HORTON: Thank you
2 very much for your comment. It's appreciated.
3 Moving on to Eileen Borgia.

4 MS. BORGIA: My name is Eileen
5 Borgia. I live at 606 Lenox Court in Champaign,
6 Illinois. I have a Ph.D. in early childhood
7 education and taught for 40 years. I thought two
8 important things were to teach them to use best
9 practices and to advocate for the needs and rights
10 of young children.

11 Recent neurological research
12 suggests vulnerability of the young brain to
13 polluted air and substances in their environment.
14 Cancer-causing pollutants are lurking in toxic
15 soups in more than 74 coal ash impoundments and
16 landfills throughout the State of Illinois and can
17 silently damage the growth and health of young
18 children as we have already heard.

19 Also as a master naturalist, I
20 learned that cancer-causing pollutants are
21 leaching into the Middle Fork River at Oakwood.
22 My river where thousands of people, including
23 children, paddle, float, splash, catch fish and
24 float on inner tubes and enjoy the federally

1 designated wild and scenic river.

2 People can see the orange
3 leachate leaking out down the bank below the now
4 closed Vermilion power plant. The owner, Dynegy,
5 abandoned the facility after dumping tons of
6 residue from coal production into inadequate
7 storage pits that seeps into the groundwater
8 eventually endangering everyone. It must be that
9 Dynegy doesn't follow best practices in disposing
10 all the waste in safely lined impoundments at a
11 safe distance from the ever-changing bank of the
12 Middle Fork River.

13 Potentially thousands of
14 children playing in the river have been exposed to
15 mercury, cadmium, arsenic and other pollutants
16 that can damage their developing brains and may
17 lead to cancer and other early death.

18 In the future, even if they
19 escape the devastation, they might grow into
20 adults who will inherit the sins of the 20th
21 century coal companies and they will have to
22 continue to beg for removal of wet coal ash in
23 ponds, groundwater, rivers and beaches in the
24 Illinois -- of Illinois.

1 Within input from advocates,
2 communities, scientists and experts, leaders in
3 the Illinois legislature designed a bill with
4 strict standards for removal, both wet and dry, of
5 all coal ash from the Earth in the State of
6 Illinois.

7 After several years, the result
8 is that state bill -- State Bill 9 passed into law
9 in 2019. Congratulations to all. Rulemaking is
10 underway and I thank the state agencies;
11 Department of Natural Resources, Environmental
12 Protection Agency and the Illinois Pollution
13 Control Board for heeding the call of thousands of
14 advocates that the rulemaking process must be
15 transparent, set aside time for this testimony to
16 be considered and for including public input in
17 all reviews, approval of plans, programs and
18 assessments.

19 Some of the proposed rules do
20 need to be strengthened such as not lowering the
21 standards for complete removal of coal ash.

22 Thankfully, the Coal Ash
23 Pollution Prevention Act does not permit the
24 Illinois rules to be weaker than the Federal

1 Rules. Here are some key protections written into
2 the rules that I support.

3 First, comprehensive protections
4 for the health and safety of workers and the
5 general public effective during cleanup and
6 transportation of residual dust or fly ash.

7 Second, not allowing companies to consider removal
8 rather than require cleanup of all remains of wet
9 and dry ash, monitoring for all relevant
10 pollutants in the groundwater during every
11 monitoring visit until the groundwater quality
12 meets the groundwater protection standards.

13 Four, ensure that polluters, not
14 taxpayers, pay for the closure and cleanup of all
15 coal ash sites and provide that the Illinois EPA
16 funds the needed money to properly oversee the
17 closure and the cleanup. With strong,
18 non-variable rules, the law in Illinois will
19 ensure that coal ash will be removed completely
20 making the environment safer for everyone,
21 especially the smallest and most vulnerable, the
22 children of Illinois. The time is now to have no
23 coal ash, no way, no how in Illinois. Thank you.

24 HEARING OFFICER HORTON: Thank you

1 very much for your comment. I'm circling back to
2 two individuals from this time segment. First
3 Krista Haberkorn. Krista Haberkorn. Okay. And
4 then David Blood. David Blood.

5 Okay. I note that we're a
6 little bit before the 5:30 to 5:45 segment, but I
7 will start calling on the individuals in that
8 section now and I will circle back at the end for
9 the individuals that I have called on, but were
10 not yet on the line. Eliana Bernat.

11 MS. BERNAT: Hi. Can you hear me?

12 HEARING OFFICER HORTON: Yes.

13 MS. BERNAT: Thank you. My name is
14 Eliana and I am an incoming high school junior in
15 Lake County, Illinois. I am here today to urge
16 this Illinois Pollution Control Board to live up
17 to its responsibility of protecting the people of
18 Illinois by strengthening coal ash rules and
19 promoting environmental justice.

20 I first want to talk about the
21 situation in Waukegan. Waukegan is home to over a
22 third of all the Superfund sites of Illinois. The
23 Waukegan Generating Station, which is one of
24 oldest coal plants in the country, has two active

1 unlined coal ash ponds along with an unlined
2 landfill that pollute not only groundwater, but
3 also ten million people's drinking water source,
4 Lake Michigan.

5 The coal ash ponds and landfill
6 make the Waukegan Generating Station the largest
7 source of air and water pollution in Lake County.
8 This is significantly impacting the health of the
9 people of Waukegan. Toxic heavy metals such as
10 arsenic, boron, chromium, lithium and sulfate are
11 leached into the groundwater through the coal ash
12 pond and landfill causing concentrations much
13 higher than the safe level.

14 These toxic metals have many
15 negative health effects, including cancer. This
16 pollution is impacting the health of people right
17 now and will continue to contaminate for
18 centuries. The rules you have the power to enact
19 will determine the level of pollution to which my
20 generation has to endure directly impacting my
21 generation's health.

22 It is not an accident that these
23 disastrous impacts from coal ash are happening in
24 Waukegan where the population is almost 75 percent

1 black and Latinx. The prominence of fossil fuel
2 plants and pollution in communities of color is a
3 pattern perpetuated across Illinois and the
4 country. The same harmful substance that is
5 destroying the environment is also
6 disproportionately harming the health of low
7 income communities and communities of color. This
8 makes pollution and coal ash regulations a racial
9 justice issue.

10 As the Illinois Pollution
11 Control Board, you have the power to help the
12 millions of people living in environmental justice
13 communities like Waukegan. Ensuring that
14 communities get permanent protection from
15 pollution means prohibiting mixing coal ash and
16 water and regulating coal ash dumps and landfills
17 as well as ponds.

18 In addition, workers and
19 communities must be protected from the health
20 effects of coal ash dust. I strongly urge you to
21 stand with the people of Waukegan and communities
22 over profit and polluting industries by
23 strengthening coal ash regulations. Thank you.

24 HEARING OFFICER HORTON: Thank you

1 very much for your comment. We'll be moving on
2 and I would just like to remind everyone on the
3 line that if you are participating via video, you
4 can hit the microphone button at the bottom of
5 your screen and that will unmute yourself. If you
6 are participating via telephone, you can press
7 Star 6 and that will unmute yourself. Moving on
8 to Elizabeth LaRue.

9 MS. LARUE: Hello?

10 HEARING OFFICER HORTON: Yes,
11 Ms. LaRue.

12 MS. LARUE: Sorry. I couldn't tell
13 if I hit it right or not. My apologies. Good
14 evening. I am Elizabeth LaRue. I'm from
15 Bartlett, Illinois. I am a mother and nurse and I
16 support safe closure of coal ash impoundments,
17 landfills and dumps to protect human health. We
18 need to hold coal ash companies accountable and
19 stop them from further contaminating our
20 groundwater, rivers and lakes with this toxic
21 brew.

22 Pollution already in our water
23 needs to be completely removed and standards set
24 to prevent future polluting, not only for you and

1 I, but also for our children, my two daughters,
2 particularly from my point of view, and the many
3 generations to follow.

4 The stories that others have
5 shared should not have occurred, nor should they
6 be repeated. We know too much now to ignore the
7 results. Waste bi-product from burning coal
8 contain toxic metals that can cause serious short
9 and long-term health problems, including organ
10 damage, reproductive and developmental issues,
11 neurological effects and cancer. The impact is
12 not only felt on a purely personal level, but also
13 economically in terms of the high cost associated
14 with healthcare delivery.

15 The coal ash sites across
16 Illinois have a disproportionately (audio cut out)
17 as previously stated. They are also more likely
18 to lack access to quality healthcare and that care
19 is significantly more likely to be taxpayer
20 funded. It is true that many health issues are
21 the direct result of lifestyle choices. However,
22 the ability to access clean, toxin-free drinking
23 water and food is not something under our personal
24 control, specifically when companies are not held

1 responsible for being good stewards of our water
2 and environment.

3 An ounce of prevention (audio
4 cut out). Comprehensive cleanup of coal ash now
5 will have positive effects on the health of
6 Illinois residents and reduce downstream
7 healthcare costs as a result. With this knowledge
8 firmly in hand, why wouldn't the State of Illinois
9 want to do everything possible to ensure this
10 toxic waste does not continue to enter our
11 drinking water and pollute our waterways now and
12 in the future.

13 Responsibility for cleanup needs
14 to sit squarely in the hands of the companies that
15 are responsible for these coal ash sites,
16 including coal ash landfills, ponds and dumps that
17 are in operation and those that have already been
18 abandoned. It has to be comprehensive. They need
19 to be held accountable for ongoing cleanup and
20 rehabilitation of the lands and waters
21 polluting -- being polluted with their coal ash
22 toxins. These companies need to be held
23 financially responsible for these efforts.

24 This is not the responsibility

1 of Illinois residents and taxpayers. Illinois
2 needs to safeguard the quality of its water
3 resources and the health of its population. What
4 is more valuable? The rules and processes by
5 which this is done need to be transparent and
6 exceedingly clear. No loopholes. Lack of clear
7 and comprehensive rules will result in continuing
8 and worsening contamination of our water. The
9 rules need to be comprehensive and explicit.
10 Everything possible needs to be done to keep coal
11 ash from being wet wherever it is stored now and
12 in the future.

13 Coal ash cannot be closed in if
14 it is or will be wet at any time. In addition,
15 there needs to be strong protections in place for
16 workers and communities where exposure to dry coal
17 ash is even remotely possible. Illinois has the
18 opportunity to make rules that fully address an
19 issue that can impact us all and will only worsen
20 with time if insufficiently handled.

21 Anything less than explicit and
22 comprehensive rules surrounding coal ash is
23 unacceptable and, in my mind, constitutes
24 negligence in the protection of Illinois residents

1 and our environment. This is my first time
2 providing comment on an issue. I was compelled to
3 speak because I believe that clean water is a
4 basic right and we should do everything that we
5 can to ensure that all people have access to it,
6 not only in our drinking water, but all aspects of
7 our environment. I sincerely thank you for your
8 thoughtful consideration.

9 HEARING OFFICER HORTON: Thank you
10 very much for that comment. We will be moving on
11 and a reminder you can unmute yourself with the
12 microphone button at the bottom of your screen if
13 you're on video or Star 6 on telephone.

14 And I ask that commentators limit
15 themselves to three minutes today as we have many
16 commentators. Ella Simms. Is there an Ella Simms,
17 S-I-M-M-S? Okay. I will circle back at the end
18 of this 15-minute segment for those that were not
19 on. George Crouse, C-R-O-U-S-E. Mr. George
20 Crouse.

21 All right. Moving on to Gloria
22 Heggy, H-E-G-G-Y. Gloria Heggy. Moving on to
23 James Fallaw. James F-A-L-L-A-W. Again, if
24 you're on telephone, you can unmute yourself by

1 pressing Star 6. If you're on video, you can
2 unmute yourself by pressing the microphone button
3 at the bottom.

4 All right. I'll circle back to
5 those I missed from this segment. Ella Simms,
6 S-I-M-M-S. Ella Simms. Moving on George Crouse.
7 George Crouse. Moving on Gloria Heggy. Gloria
8 Heggy. And moving on to James Fallaw. James
9 Fallaw.

10 Okay. I note we're a little bit
11 before the 5:45 to 6:00 p.m. segment, but I will
12 start calling on those individuals now. And just
13 a reminder you can press the microphone button on
14 your screen to unmute yourself or Star 6 if you
15 are on the telephone to unmute yourself.

16 Please limit yourself to a
17 3-minute comment. Thank you. Jen Halbert. Jen
18 Halbert. Okay. Jenica Hopkins. Jenica Hopkins.
19 Jessica Blasingame. Jessica last name spelled
20 B-L-A-S-I-N-G-A-M-E. Moving on. Joey Gage. Joey
21 Gage. Moving on to John Katz-Mariani.

22 MR. KATZ-MARIANI: Good evening.
23 Can you hear me?

24 HEARING OFFICER HORTON: Yes,

1 Mr. Mariani. Please excuse me if I --

2 MR. KATZ-MARIANI: Yes.

3 HEARING OFFICER HORTON: -- said it
4 wrong.

5 MR. KATZ-MARIANI: Thank you. So my
6 name is John Katz-Mariani. I lead the Green Team
7 at Congregation Or Shalom in Vernon Hills in Lake
8 County. Our Green Team receives support guidance
9 and inspiration from Faith in Place, but I'm also
10 here representing my congregation of 400 families
11 in support of the people of Waukegan who are our
12 neighbors. The Jewish tradition teaches many
13 values, among them that we should love our
14 neighbors as ourselves. We are all made in the
15 divine image and we shall pursue justice whenever
16 and wherever we perceive injustice.

17 It is unjust that the people of
18 Waukegan, especially the children, our future,
19 have to live in the midst of five Superfund sites.
20 It is even worse that they have to experience
21 toxins actively leaking into their water from coal
22 ash. It is not a coincidence that Waukegan is
23 mostly a Latinx and African-American community of
24 working people as this pattern of environmental

1 injustice towards communities of color is repeated
2 all over Illinois and the entire country.

3 We note that Waukegan can speak
4 for itself. We just want you to know that we
5 stand with this community, that we are aware of
6 what is happening there and that it is
7 unconscionable to us that anyone would argue for
8 the weakening of any coal ash related rule that
9 would, if enforced, protect the community now and
10 for the future.

11 We support the rules for
12 groundwater monitoring, worker protections and no
13 time-limit monitoring. However, the rules for
14 cleanup must be firmer and cleaner. No wet ash
15 wherever it is stored or closed in place. Cleanup
16 must be complete such that no ash will have an
17 opportunity to be exposed to water. No background
18 wells in areas already impacted by coal ash. The
19 rules for coal ash prevention should include coal
20 ash landfills and dumps.

21 Workers in the community must be
22 fully protected from coal ash dust which requires
23 ongoing monitoring. The rule of cumulative
24 impacts must identify all environmental justice

1 communities in order to fully account for the
2 incremental effects of pollution on vulnerable
3 people. The public must have access to all key
4 documents and be consulted first before any plans
5 are approved and finally no rollbacks if federal
6 rules reduce protections.

7 Like anyone else, we raise our
8 children with the expectation that they must learn
9 to clean up after themselves. When they become
10 adult members of the community, they have
11 internalized the positive feeling and the just
12 nature of not having left a mess for someone else
13 to deal with. Would anyone from any tradition of
14 good faith want their own children to play in or
15 drink from a toxic mess created by adults to whom
16 they have entrusted their lives? Thank you.

17 HEARING OFFICER HORTON: Thank you
18 very much for your comment. Moving on to Joseph
19 Laszlo. Joseph Laszlo. Mr. Laszlo. Mr. Laszlo.

20 MR. LASZLO: I see you're off mute.
21 I can't hear you. You're speaking.

22 HEARING OFFICER HORTON: Mr. Laszlo,
23 if you press the microphone button at the bottom
24 of your screen, if you're on video, you can unmute

1 yourself or if you're on telephone, you can press
2 Star 6 to unmute yourself. Mr. Laszlo, I believe
3 you are on the line. We can see you pop up in
4 Webex. If you are having a little bit of trouble
5 logging in, you can write to us in the chat
6 function. We'll come back. Mr. Laszlo. Hello?
7 Wonderful. We've got you.

8 MR. LASZLO: Can anybody hear me?

9 HEARING OFFICER HORTON: Oh,
10 wonderful. Yes.

11 MR. LASZLO: Good. Thank you. My
12 name is Joe Laszlo. I am a member of Central
13 Illinois Health Community Alliance. I live in
14 Peoria near the soon-to-be-closed Edwards Power
15 Plant. The Edwards coal ash pit is online and
16 known to be leaching dangerous chemicals into the
17 groundwater. I am concerned that the proposed
18 rules prepared by the Illinois EPA for closing
19 coal ash impoundments are too weak and do not
20 ensure long-term protection from leaching toxins.

21 In particular, Illinois EPA's
22 rules should explicitly state that coal ash cannot
23 be closed in place if ash is or will remain wet.
24 A site such as Edwards that is so close to a major

1 waterway could never be considered remediated if
2 the coal ash is allowed to be kept there. Of
3 course, there are many other coal ash sites around
4 the state that, similar to Edwards, are
5 precariously situated near waterways.

6 Environmental group commentators
7 have made specific and technical recommendations
8 regarding refinements to the rulemaking regarding
9 coal ash in contact with water that I fully
10 support. Let's get this done right the first time
11 and not leave a toxic legacy for future
12 generations. Thank you for this opportunity to
13 address my concerns directly to you. Thank you.

14 HEARING OFFICER HORTON: Thank you
15 very much for your comments. I appreciate it. I
16 will circle back to the commentators from the 5:45
17 to 6:00 p.m. segment. Jen Halbert. Jen Halbert.
18 And, again, you can unmute yourself by pressing
19 the microphone button at the bottom of your screen
20 or if you're on the telephone by dialing Star 6.
21 Okay.

22 Moving on to Jenica Hopkins.
23 Jenica Hopkins. Okay. Moving on to Jessica
24 Blasingame. Jessica Blasingame. Moving on to

1 Joey Gage. Joey Gage. And because I know that
2 we're a little bit before the 6:00 to 6:15 segment
3 I'll circle back to earlier individuals who were
4 not on the line when called on.

5 Amy Kitzmiller? If you are on
6 the telephone, you can press Star 6 to unmute
7 yourself. April Sedall. April Sedall. Arlene
8 McFadden. Arlene McFadden. Barbara Beckler.
9 Barbara Beckler. Krista Haberkorn. Krista
10 Haberkorn. David Blood. David Blood. Ella
11 Simms. Ella Simms. George Crouse. George
12 Crouse. Gloria Heggy. Gloria Heggy. James
13 Fallaw. James Fallaw. Jen Halbert. Jen Halbert.
14 Jenica Hopkins. Jenica Hopkins. Jessica
15 Blasingame. Jessica Blasingame. Joey Gage. Joey
16 Gage.

17 Okay. I note we're a little bit
18 before 6:00, but I'll move on to the 6:00 to 6:15
19 portion. Joyce Blumenshine. And if you are on
20 video, you can unmute yourself by pressing the
21 microphone button at the bottom of your screen.
22 If you're on the telephone, you can unmute
23 yourself by pressing Star 6.

24 MS. BLUMENSHINE: Am I on unmute?

1 HEARING OFFICER HORTON: Is this
2 Joyce?

3 MS. BLUMENSHINE: Can you hear me?

4 HEARING OFFICER HORTON: Yes. Joyce
5 Blumenshine.

6 MS. BLUMENSHINE: Thank you so much.
7 I appreciate it. Good evening, everyone. I'm
8 Joyce Blumenshine. I'm a volunteer with Heart of
9 Illinois Sierra Club in Peoria. I want to thank
10 the IEPA and all staff for your continued work,
11 especially with the challenges of COVID and, if
12 anything, our pandemic time points out to us the
13 importance of clean air and clean water.

14 My life here in Peoria has been
15 impacted in many ways by our coal ash at the
16 Edwards plant close to town, but there are coal
17 ash ponds and landfills and construction fills up
18 and down the river. You know, this is a statewide
19 problem from Lake Michigan all down the Illinois
20 and to desperate far places and disparate places
21 like Lake Coffeen in Montgomery County, which is
22 used for public recreation and I hope that will
23 continue.

24 So the cleanup is essential and

1 here in Peoria I see concerns. I ask that you
2 strengthen the financial assurances. It is
3 really, really important not to risk the cost of
4 cleanup for the future whether it's state or local
5 governments or the federal government.

6 Companies need to be required to
7 set aside adequate and secure financial assurances
8 that the full cleanup can be completed and I think
9 even a contingency fund for cost overruns. Those
10 finances need to stay in place until the water
11 quality concerns are complete and for us here in
12 Peoria that's essential. Half of our public water
13 typically comes from the Sankoty Aquifer which has
14 fingers heading south towards Edwards.

15 It's not all in that area, but
16 across the river is the Mahomet Aquifer, which is
17 unconfined and the whole river system as we know
18 with connections of the floodplain and our
19 groundwater it is essential that sites not be left
20 with coal ash or even the coal ash fills or
21 landfills -- or landfills that cannot be left
22 where they will be wet from groundwater or from
23 flooding.

24 This public hearing is an

1 example, and a fine example, of incorporating the
2 public into the process and I do thank you. I
3 have been at way too many IDOT hearings and other
4 agencies which I won't mention that have, like, an
5 open house forum where the public just wanders
6 around to tables with posters and has to sum up
7 the right questions to ask to certain staff.

8 The procedure you're doing is
9 the right one and I really think you must specify
10 within the regulations how the public hearing
11 should be held for the sites that are under
12 consideration, closure. It is really critical
13 that there is a public forum and that there is an
14 opportunity for the public to hear other comments,
15 to hear a full explanation of the site that is
16 understandable and also to hear other comments
17 from their neighbors or other friends or people
18 that they don't know.

19 This is a very important part of
20 the democratic process. So I encourage you to
21 specify that within the regulations. As part of
22 that, too, I think you really need to expand the
23 environmental justice definition. I hope that you
24 will use what the definition is in the Clean

1 Energy Jobs Act and also add to expand what you
2 have to include the U.S. EPA environmental justice
3 screening tool.

4 It is not fair to minority or
5 underprivileged neighborhoods impacted by coal ash
6 to leave any areas out and I hope that you will
7 change that within the regulations.

8 I do also want to comment about
9 the importance of protections for not only workers
10 who are cleaning up the plant, but the
11 transportation people going to the landfills and
12 that landfill workers are also given protections
13 and specific, excuse me, assurances of they will
14 be fully instructed in the harms of coal ash and
15 given protective gear. I am well-aware that there
16 are sites within my area where landfills that are
17 at old coal mines these people had no clue what
18 they were doing with the coal ash or how it would
19 affect them.

20 Thank you so much for your time
21 tonight. I look forward to hearing further
22 comments and I hope you will strengthen your
23 regulations. Thank you.

24 HEARING OFFICER HORTON: Thank you

1 very much for your comment. We'll be moving on.
2 Just a reminder, if you need to unmute yourself if
3 you are on video, press the microphone button at
4 the bottom of your screen. If you are on the
5 telephone, it is Star 6 to unmute yourself.

6 Kathryn Dittmore. Kathryn
7 Dittmore. Okay. Moving on to Cody Czerwonka. I
8 apologize if I'm mispronouncing, which --

9 MR. CZERWONKA: Yes, I'm here. It's
10 Czerwonka.

11 HEARING OFFICER HORTON: Okay.
12 Thank you. Please proceed.

13 MR. CZERWONKA: Yeah. So like the
14 people before me have already said, thank you to
15 the IPCB for allowing me and everyone else a
16 chance to offer some input into these coal ash
17 hearings. I'm from the Cumberland/Coles County
18 area in Central Illinois and I'm also running for
19 state representative for the 110th District.

20 I'm reminded every day of the
21 beauty of this state each time I drive through
22 rural Illinois. We have lakes and state parks
23 that offer us natural beauty and Earth is our only
24 home. We have to do everything that we can to

1 protect it from the greed of the fossil fuel
2 industry that wants to dump waste into our
3 environment with as little regulations as
4 possible, all in the interest of maximizing their
5 profits and lining their shareholder's
6 pocketbooks. Profits should never come above
7 having a clean planet to live on.

8 Coal ash that is being dumped
9 into these coal ash ponds seeps into our soil and,
10 as a result, soil and our groundwater are being
11 poisoned with heavy metals that are causing a host
12 of problems like brain damage, cancer, learning
13 disabilities, birth defects and reproductive
14 defects. We're better than that and we can treat
15 our Earth and our people much better than that.

16 Fossil fuel companies need to be
17 pressured with more regulation so that coal ash in
18 Illinois never comes in contact with our water.
19 We must add a provision that requires the base of
20 the surface impoundment to be no less than five
21 feet above the highest groundwater elevation and
22 that's measured within or adjacent to the coal ash
23 impoundment. This will prevent any seepage from
24 getting into the groundwater.

1 Any selective remedy in the
2 corrective action plan that the Board comes up
3 with must also ensure that there is no
4 intermittent recurring or sustained hydraulic
5 connection between -- between coal ash and
6 groundwater or surface water. The language must
7 not be vague about allowing coal ash to remain in
8 water. Rather than using terminology like reduce
9 or eliminate to the maximum extent feasible, the
10 rules should explicitly state that allowing ash to
11 remain in water or allowing ash to be exposed to
12 groundwater or surface water is impermissible.

13 The only way to truly control
14 the source at releases and thereby prevent further
15 contamination is to move coal ash to a place where
16 it is not exposed to water. I urge this Board to
17 add the location restrictions as prerequisites
18 that explicitly must be met in order for the
19 Agency to approve a closure in place. Just as
20 coal ash in active impoundments should not remain
21 in or exposed to water, the same is true following
22 closure because even with a cap coal ash that is
23 exposed to water will leach.

24 Illinois must make it crystal

1 clear that closure in place may only be permitted
2 if there will be no intermittent, recurring or
3 sustained hydraulic connection between any portion
4 of the coal ash impoundment in any groundwater
5 following closure.

6 We can't continue to let the
7 fossil fuel industry pollute our Earth and until
8 the federal government steps in to address the
9 climate crisis we need to do what we can as a
10 state. So please help save the future of Illinois
11 and the future of our planet by adding and
12 requiring these restrictions and regulations.
13 Thank you, all, for your time.

14 HEARING OFFICER HORTON: Thank you
15 very much for your comment. Kristin Camp.

16 MS. CAMP: Hello. This is Kristin
17 Camp.

18 HEARING OFFICER HORTON: Yes.
19 Hello.

20 MS. CAMP: I just want to make sure
21 I was on. My name is Kristin Camp and I am
22 speaking as a concerned citizen directly affected
23 by coal ash. I am a life-long resident of
24 Vermilion County, Illinois and I live

1 approximately two miles from the Middle Fork of
2 the Vermilion River.

3 A coal powered power plant
4 operated there from 1955 through 2011 dumping coal
5 ash in three ash pits all located on the
6 floodplain of the Middle Fork River. This site
7 now presents three major issues. Number one,
8 there is ongoing pollution of groundwater that
9 runs beneath the pits. Number two, there is
10 direct pollution of the Middle Fork River itself
11 through seeps that are hydrologically connected to
12 the buried coal ash and, number three, is an
13 extreme risk of catastrophic breach where massive
14 amounts of coal ash could inundate the Middle Fork
15 River.

16 As avid hikers, canoers,
17 fisherman and naturalists, my husband and I know
18 the river and its floodplain intimately. While
19 canoeing, I have actually witnessed the coal ash
20 pollution seeping into the river for many years.
21 Just the last month we have taken two kayak and
22 canoe trips down the Middle Fork River with my
23 siblings, daughter and grandchildren. While
24 kayaking, we take care not to touch the water or

1 get out of the kayaks anywhere near the seeps by
2 the coal ash pits or directly downstream.

3 If the coal ash is allowed to
4 remain in these pits, the situation will only get
5 worse. I have also observed how the river has
6 meandered towards coal ash pits at an alarming
7 rate. There is an ever-looming threat of a
8 catastrophic breach along this stretch of the
9 river during a flood event.

10 Not only have I shared the joys
11 of the river with my family and friends, but as a
12 lifelong formal educator I have taken thousands of
13 students on field trips to the river and the
14 woodland along the floodplain.

15 As a science curriculum
16 coordinator for nearby Champaign School District,
17 I collaborated with staff from the Illinois
18 Geological Survey to design and implement the
19 geology unit that incorporated field trips to
20 Kickapoo State Park and the Middle Fork River.

21 For six years, all 800 5th
22 graders in Champaign schools went on this field
23 trip and got the opportunity to discover for
24 themselves the joy of exploring the gravel bar

1 while experiencing how erosion shapes the river.
2 How much coal ash pollution can we allow to seep
3 in the river before students can no longer join
4 field trips there?

5 I have cited these examples to
6 demonstrate the importance of the Middle Fork
7 River to me personally and to the greater
8 community and to emphasize the critical situation
9 coal ash has presented to the health of our river.

10 In addition, coal ash pollution
11 is seeping into the groundwater and many of the
12 local residents get our drinking water from
13 personal wells. Two of the largest sources of
14 economic income for Vermilion County are
15 agriculture and the park and natural areas in the
16 Vermilion River corridor.

17 If a breach would occur along
18 the coal ash pits, tons of coal ash pollution
19 would spill into the river, float downstream
20 through most of the park, the City of Danville and
21 on into Indiana. This would be catastrophic not
22 only to the ecosystem of the river floodplain, but
23 to the Vermilion County economy.

24 I expect the Illinois Pollution

1 Control Board to provide strong coal ash rules
2 that protect all the people of Illinois from coal
3 ash pollution in perpetuity. Particularly, the
4 rules must ensure the coal ash, wherever it is
5 stored, does not get wet now or in the future,
6 that coal ash cannot be closed in place if the ash
7 is or will remain wet and that the requirements
8 for cleaning up groundwater pollution must be
9 clear that clean up will not be treated as
10 complete until ash is no longer exposed to water.

11 This is our opportunity for
12 Illinois to be a leader in the nation and model
13 the pathway for protection for coal ash pollution.
14 I appreciate you letting me comment. Thank you
15 very much.

16 HEARING OFFICER HORTON: Thank you
17 very much for your comment. Moving on and a
18 reminder if you are participating via video you
19 can unmute yourself by pressing the microphone
20 button on your screen. If by telephone, by
21 pressing Star 6. Lan Richart.

22 MR. RICHART: Yes. Can you hear me?

23 HEARING OFFICER HORTON: Yes, we
24 can.

1 MR. RICHART: Yes. Can you hear me?

2 HEARING OFFICER HORTON: Yes, we
3 can.

4 MR. RICHART: Okay. All right.
5 Good evening. My name is Lan Richart and I am a
6 co-director of the Equal Justice Collaborative, an
7 environmental non-profit, located in Champaign. I
8 want to thank you for the opportunity to speak
9 this evening.

10 Section 22.59 of the Coal Ash
11 Pollution Prevention Act stipulates that the rules
12 must specify meaningful public participation
13 procedures. The word meaningful was included in
14 the act for a purpose, to ensure that stakeholders
15 and interested individuals play a meaningful role
16 in the decision-making process.

17 Prior to establishing the Equal
18 Justice Collaborative, my wife and I served as
19 owners and principals of a land use and
20 environmental planning firm in the Chicago area
21 where we specialized in the implementation of
22 agency public involvement programs for major
23 public works projects throughout the Midwest.

24 Based on nearly 30 years of

1 experience in this area, it's my opinion that
2 meaningful public participation requires several
3 key elements and tonight I want to very briefly
4 address two. One is making process open and
5 assessable to all stakeholders and interested
6 parties and the second is being transparent,
7 making key documents and information used in the
8 decision-making process readily accessible and
9 providing adequate time for review and comment.

10 Meaningful public participation
11 is impossible without information. Sufficient
12 time to review relevant decision-making documents
13 is essential in giving legitimacy to the meetings
14 or hearings. Thirty days is a minimal timeframe
15 if you really want people to be aware of the
16 meeting, understand what is being proposed and
17 provide meaningful feedback. Less than that and
18 you are merely checking off a box, not really
19 interested in meaningful participation.

20 This principle should be applied
21 to the pre-application public meeting where
22 currently only 14 days notice is proposed. You
23 can be assured that you will get no meaningful
24 input with this short timeframe and with little to

1 no advance information available.

2 My second comment tonight
3 relates to the opportunity for public hearing and
4 in Section 22.59 Subsection G6 of the Coal Ash
5 Pollution Prevention Act it says the rule must
6 include an opportunity for a public hearing prior
7 to permit issuance. As currently written, the
8 Agency's proposal states that they may hold a
9 public hearing on the issuance or denial of a
10 permit whenever the Agency determines that there
11 exists a significant degree of public interest.

12 I would suggest that defining
13 the specific circumstances under which a public
14 hearing would be provided is not unreasonable,
15 such as when there's a significant degree of
16 public interest. However, giving the Agency
17 additional undefined discretion is not consistent
18 with the intent of the law. I believe the
19 language should be changed to the Agency shall
20 hold a public hearing when it is determined there
21 exists a significant degree of public interest
22 and/or there is a reasonable likelihood of
23 significant adverse -- of significant adverse
24 impacts resulting with the proposed rule.

1 I want to thank you for the
2 opportunity to make these two points and we'll be
3 submitting more detailed comments in writing.

4 HEARING OFFICER HORTON: Thank you
5 very much for your comment. Moving on Laura
6 Davis.

7 MS. DAVIS: Yeah. I'm Laura Davis
8 and thank you for the opportunity to speak
9 tonight. I am with the League of Women Voters
10 Illinois, climate and energy issues specialist,
11 and League of Women Voters is a non-partisan
12 political organization and it has several
13 positions which support protection of water, land,
14 air and the safest management of waste products.

15 As coal ash is a waste product
16 from coal power plants and known to contain
17 chemicals such as arsenic, lead, mercury,
18 thallium, chromium and other chemicals known to be
19 dangerous to human and animal health, the most
20 stringent laws need to be put in place to clean up
21 current sites include existing coal -- including
22 ash ponds, landfills, dumps and impoundments.

23 The League of Women Voters
24 supports that existing coal ash be required to be

1 removed from locations that are close to
2 groundwater, rivers or lakes and particularly
3 unlined landfills or ponds in order to prevent the
4 migration of these dangerous chemicals into water
5 and not allow coal ash ponds to be capped. The
6 groundwater around any coal ash pond should be
7 monitored until safe water results are achieved
8 rather than monitoring determined by a specific
9 end date.

10 League of Women Voters Illinois
11 supports the strongest protection for workers and
12 communities around the coal ash ponds for
13 continued care and during removal of coal ash.
14 Workers and communities are vulnerable to coal ash
15 dust and pollution which is dangerous to health
16 and has been shown to contribute to cancers,
17 kidney problems and nervous system diseases.

18 The League of Women Voters
19 Illinois believes that the investment in
20 prevention of danger such as collapse of the coal
21 ash pond or leakage of dangerous chemicals into
22 groundwater, rivers, streams or lakes is the
23 responsible and safe approach in order to protect
24 our water, land and the health of our communities.

1 Thank you very much for taking this time and
2 allowing us to speak.

3 HEARING OFFICER HORTON: Thank you
4 very much, Ms. Davis. Moving back to Kathryn
5 Dittmore if you are on the line. Kathryn
6 D-I-T-T-E-M-O-R-E.

7 Okay. I note that it is a
8 little bit before the 6:15 mark, but we'll move on
9 to that section. Laura Hansen. And as a
10 reminder, if you are participating via video, you
11 can press the unmute -- press the microphone
12 button to unmute yourself and if you are
13 participating via telephone, you can press Star 6
14 to unmute yourself. Is Laura Hansen on the line?

15 Okay. Moving forward to Laurie
16 Willets. Laurie Willets, W-I-L-L-E-T-S. Okay.
17 Moving forward. Leah Hartung.

18 MS. HARTUNG: Yes, I'm here.

19 HEARING OFFICER HORTON: Great.
20 Please proceed.

21 MS. HARTUNG: My name is Leah
22 Hartung and I am a college student from
23 Libertyville, Illinois. I've spent my whole life
24 in Libertyville and while I live on the largest

1 group of freshwater lakes on Earth, my drinking
2 water is still not safe because of the coal ash
3 from the Waukegan power plant.

4 Since groundwater monitoring
5 began in 2010, the groundwater at the Waukegan
6 power plant has been found 400 times to have
7 contaminates related to coal ash above allowable
8 levels. This is unacceptable. Safe drinking
9 water is a human right, not a privilege. The
10 health of millions of Illinois residents (audio
11 cut out) coal ash impoundments and not coal ash
12 fill and old coal ash dumps, yet the monitoring
13 wells at the Waukegan site the contaminants are
14 leaching from the coal ash dumps, not impoundment.

15 If coal ash fills and old coal
16 ash dumps are not included in the bill or the
17 rules, the coal ash will cause disastrous health
18 effects as it leaches heavy metals and other
19 toxins into our drinking water. Additionally,
20 while the coal ash impoundments at the Waukegan
21 plant are lined, the liner isn't up to standards
22 and even high-quality liners can crack and leak.

23 The only possible way to ensure
24 that coal ash does not cause serious health

1 problems through our drinking water is to prevent
2 it from getting wet. Coal ash, therefore, must be
3 required to be removed from wet ponds to dry,
4 lined landfills. While the removal of coal ash to
5 dry, lined landfills is necessary, so are the
6 protections for workers that do so. The health
7 and safety of the coal ash workers are crucial to
8 ensure -- and to ensure their health and safety
9 there has to be increased monitoring of coal ash
10 dust and robust safety and health measures.

11 Lastly, the negative effects of
12 coal ash disproportionately impact marginalized
13 communities. Therefore, for any coal ash to be
14 fair and just, they need to prioritize
15 environmental justice communities. Language
16 access is crucial. The Illinois EPA and the
17 industry must be required to engage with
18 non-English speaking populations, including
19 interpreters being at the meetings, hearings and
20 translation of permit materials.

21 Thank you for allowing me the
22 time to speak today. I hope you will strengthen
23 your regulations.

24 HEARING OFFICER HORTON: Thank you

1 very much for your comment. Moving forward. Just
2 to note if you are video, you can press the
3 microphone button to unmute yourself. If you are
4 on telephone, Star 6 to unmute yourself. Leon
5 Liebenberg. Leon Liebenberg.

6 MR. LIEBENBERG: Yes, thank you for
7 this opportunity. Sure. We're in the middle of a
8 pandemic and I'm not talking about the COVID-19
9 pandemic. I'm talking about the pandemic that we
10 call economic growth and its adverse environmental
11 and societal effects.

12 So either we'll have to change
13 our narrow-scoped ways or, like other plagued
14 species, we will reap the deadly crop of the seeds
15 that we sew. My brother was poisoned by mercury
16 which apparently seeped into groundwater from
17 nearby platinum and gold mines. He sustained
18 permanent nerve damage. Who knows what other
19 consequences will still arise. So my brother
20 lives in Potchefstroom, which is about 120
21 kilometers from Johannesburg, South Africa where
22 I'm from.

23 Now, being poisoned following
24 blatant disregard of proper engineering practices

1 is not uncommon -- uncommon in a developing
2 country like South Africa. Just, by the way,
3 thousands of other people were also poisoned by
4 that very same mercury that leached into the
5 groundwater. No one would assume responsibility
6 and it was too difficult to pinpoint the exact
7 source of the groundwater contaminates. So that's
8 kind of the easy way out for utilities and such
9 evasive maneuvers might be expected in developing
10 countries where the focus is on relentless growth
11 with very little regard for well-being, but such
12 irresponsible and unethical actions are certainly
13 not expected from the world's wealthiest country.

14 It is quite shocking to learn
15 about the disregard of proper engineering
16 practices in the U.S. regarding the disposal of
17 coal combustion residuals. The resulting
18 pollution of our rivers, water tables, among
19 others -- this not only pertains to the surface
20 impoundments of coal ash, but certainly also to
21 coal ash landfills.

22 I took some of my students,
23 engineering students, to the Mount Carmel Coal
24 Landfill -- coal site, open coal mine, where they

1 also do land reclamation, scary stuff, scary stuff
2 going on there. But, luckily, there are a few
3 examples of sound land reclamation practices.
4 It's encouraging to learn some utilities are
5 cleaning up their acts like in South Carolina and
6 Virginia.

7 I'm dumbstruck that coal ash is
8 still not safe to dispose of in most of the
9 thousand or so ash dump sites in the U.S.,
10 especially since coal ash -- coal ash contains
11 higher concentrations of mercury than those that
12 caused my brother's poisoning. I shutter to think
13 what the several other toxic heavy metals like
14 arsenic, cobalt, lithium, uranium, you name it,
15 associated with coal ash is doing to our
16 groundwater and to us.

17 I believe our failures in
18 transgressions with dry storage of coal ash
19 landfills and wet storage in ponds cannot be
20 ascribed to lack of knowledge. That's not due to
21 lack of knowledge. I think it's due to
22 ineffective company management, greed,
23 unacceptable and unethical engineering practices,
24 non-enforcement of regulations and seemingly

1 endless legal disputes and social empathy. These
2 are some of the reasons why we are failing our own
3 nest.

4 Finally, during most of the
5 workings of things appear to occur not for lack
6 of, but because of rational actions. I think that
7 addressing our coal ash dilemma, along with our
8 many other sustainability challenges, suggest a
9 blending of rational sort and feeling, that
10 magical evaluative ethical function that we have
11 feeling. Solving this dilemma will also require
12 diversity, open mindedness and the capacity to
13 learn and change. Surely we can achieve that.
14 I'd like to thank the Illinois EPA for the
15 wonderful work that you're doing and I wish the
16 very best in the future. I thank you for your
17 attention. Thank you.

18 HEARING OFFICER HORTON: Thank you
19 very much for your comment. Moving on to Linda
20 Englund. And as a reminder, to unmute yourself if
21 you are on video, you can press the microphone
22 button at the bottom of your screen or if you're
23 on the phone, Star 6. Linda E-N-G-L-U-N-D.

24 Okay. Moving forward with Linda

1 Scott. Linda Scott. Okay. Circling back to the
2 individuals missed from this 15-minute segment
3 Laura Hansen. Laura Hansen. Moving on to Laurie
4 Willets. Laurie Willets. Linda Englund. Linda
5 Englund. Then Linda Scott. Linda Scott.

6 Okay. I notice we are a little
7 bit before the 6:30 mark, but I will proceed to
8 that 15-minute segment now if any of those
9 individuals are on and, if not, I'll circle back
10 to ones that we may have missed before.

11 Going with Lisa Velez. I'll
12 remind everyone that you can unmute yourself on
13 video by pressing the microphone button or on
14 telephone by pressing Star 6. Lisa Velez. Okay.
15 Moving on the Mary Ellen DeClue.

16 MS. DECLUE: Can you hear me?

17 HEARING OFFICER HORTON: Yes, please
18 proceed.

19 MS. DECLUE: Thank you. My name is
20 Mary Ellen DeClue. I want to thank the Pollution
21 Control Board and the Illinois EPA. You have an
22 extremely important task. Your responsibility is
23 to protect citizens and communities from the
24 toxicity of coal ash. From the federal scene,

1 health protections from coal ash disposal are
2 lacking which place even more responsibility on
3 you.

4 I live in Litchfield near
5 Carlinville, Shay No. 1 Mine, the Coffeen Power
6 Plant and the Deer Run Mine in Hillsboro. My
7 background includes 15 years of medical research
8 and 15 years of teaching chemistry and hopefully
9 water quality to my students. The coal industry,
10 including coal fire utilities and coal mining,
11 have dominated public policy for decades, but
12 hopefully not the future.

13 Coal ash rulemakings must ensure
14 not only a safe and healthy future for citizens,
15 but also correct some invalid rulings of the past.
16 Coal ash is a highly hazardous waste that is being
17 used in a careless manner to benefit the coal
18 industry at the demise of health and safety in
19 Illinois communities.

20 Coal mining in Illinois has a
21 sacred cow status that has damaged communities and
22 health of citizens. The present coal ash rules do
23 not include coal slurry impoundments that have
24 been the disposal sites for millions of tons of

1 coal ash imported both from Illinois and out of
2 state coal fire utilities.

3 The Shay No. 1 mine was allowed
4 to accept coal ash deposits which they call coal
5 combustion bi-products or beneficial use of coal
6 ash. They were allowed to place millions of tons
7 in unlined refuse impoundments that have
8 contaminated ground and surface waters for
9 decades. These impoundments will continue to
10 receive more coal ash as scheduled in the
11 reclamation plant. The placement of coal ash in
12 coal mines -- in coal mines is a backdoor way to
13 dispose of toxic coal ash that enhances profits
14 for the coal-fired utilities and coal mines while
15 exposing central community water resources to
16 unhealthy contaminants.

17 The test method ASTM D3987-85,
18 which is used to certify whether coal ash can be
19 used as coal combustion bi-products it assumes
20 that to be valid or predicting this test is suited
21 to predicting the solubility and leaching of
22 contaminants from the coal ash. The problem is
23 that placing coal ash permanently in place that
24 are exposed to water from varying sources negates

1 the validity of this test.

2 A limited time test in a
3 laboratory is not representative of what happens
4 in nature. The Le Chatelier Principle determines
5 the steady state equilibrium that exists between a
6 concentrated material and the effluent surrounding
7 the material. The cap in place will not stop
8 pollution of groundwater.

9 The closed Coffeen Power Plant
10 coal ash ponds have polluted groundwater at levels
11 unacceptable for healthy outcomes. A closure plan
12 for Ash Pond 1 is to dewater and cover with a clay
13 soil cover and vegetation to minimize or eliminate
14 infiltration of liquids. The closure plan for Ash
15 Pond 2 has been approved by Illinois EPA and will
16 again be a cap in place.

17 Coal Ash Pond 2 is leaking coal
18 blood -- I'm sorry -- cobalt at 70 times the safe
19 standard of 0.006 milligrams per liter. Excess
20 cobalt is known to harm the heart, blood, thyroid
21 and other vital organs in the body. These coal
22 ash ponds are next to Coffeen Lake which is used
23 for recreation, fishing, et cetera.

24 The problem for citizens in the

1 area is that cleanup requirements is not
2 protecting them from exposure to unhealthy well
3 water and surface waters. Cap in place does not
4 protect citizens living near them. Their
5 community has a forever health and environmental
6 hazard for them and their families. We need your
7 help along with the Illinois EPA. Thank you for
8 your efforts and you are appreciated.

9 HEARING OFFICER HORTON: Thank you
10 very much for your comment. Moving on to Mary
11 Jadernak.

12 MS. JADERNAK: Hi. Can you hear me?

13 HEARING OFFICER HORTON: Yes, please
14 proceed.

15 MS. JADERNAK: Thank you for your
16 important attention to this really important
17 situation in our environment and thank you for
18 listening today.

19 My name is Mary. I was born in
20 Illinois. Currently, my husband and I are
21 Illinois taxpayers and voters and Illinois is our
22 home. The -- sorry. Our state house passed
23 legislature bi-partisanally and unanimously to
24 clean up the coal ash in our state and it was a

1 bi-partisan effort. Surprisingly, people found
2 out how much coal ash was in their district and
3 they didn't want to have coal ash disasters in
4 their district.

5 Now, I think you probably know
6 what the best practice is and, if you don't, there
7 are so many experts that have just testified today
8 like David Ullrich and -- that can tell you, like,
9 exactly what is good engineering.

10 My history I'm a retired
11 healthcare worker and it was interesting to hear
12 one of the earlier people talk about how ill they
13 were having grown up on the southside of Chicago
14 near the Stickney coal plant and as a healthcare
15 worker I had a client who ended up committing
16 suicide because he didn't want to burden his
17 family because he had a severe -- he had cancer
18 that was going to cause him to lose capacity to
19 function and he was a worker at the Stickney Power
20 Plant.

21 And so, you know, it's just
22 recently -- it's unacceptable that people are
23 not -- these industries are not cleaning up after
24 themselves and I'm outraged. I am outraged that

1 we should have all these contaminates in our
2 backyard, in our home. I mean, there is no place
3 like home until you have a coal ash disaster in
4 your backyard. That includes being secretly
5 poisoned over the years because your water is
6 contaminated.

7 In 2008, the Tennessee Valley
8 had a big coal ash disaster. In 2011, Wisconsin
9 had a coal ash disaster. They knew about their
10 problems with their coal ash and they ended up
11 just being so casual to dump all that coal ash
12 into Lake Michigan which is part of their Great
13 Lakes. That's the second world's largest source
14 of fresh drinking water for millions of people.
15 How irresponsible. I am just outraged. 2014
16 North Carolina had dumped coal ash into the Dan
17 River. Seventy miles downstream people's
18 communities were affected by toxic forever
19 chemicals in that river that affected the value of
20 people's property.

21 Now, you probably wouldn't have
22 million dollar homes on Lake Geneva if there was a
23 coal ash dump on Lake Geneva. You know, this
24 company in Danville isn't even an Illinois

1 company. It has billions of dollars in reserves.
2 Why can't you have someone cleanup properly after
3 themselves? I urge you to please -- you know,
4 there is no place like home. Illinois is my home
5 and this planet is our home. Please be a hero of
6 our day and set strong regulations into perpetuity
7 to protect citizens. Thank you very much for
8 listening.

9 HEARING OFFICER HORTON: Thank you
10 very much for your comment. Moving on. Just to
11 note if you are participating via video, please
12 use the microphone button at the bottom to unmute
13 yourself or if you're on the telephone Star 6 and
14 please limit yourself to a three-minute comment.
15 Up next is Mary Matthews.

16 MS. MATTHEWS: Hello.

17 HEARING OFFICER HORTON: Please
18 proceed.

19 MS. MATTHEWS: I'm Mary Matthews.
20 I'm a director with the League of Women Voters of
21 Lake County. Four-and-a-half years ago I
22 testified on behalf of the League of Women Voters
23 of Lake County and I'm back today to follow up
24 again and advocate for strong regulations

1 regarding coal ash. It is polluting our air,
2 water and harming our health. Coal ash contains
3 toxic metals including arsenic, boron, chromium,
4 lithium, sulfate and more. The toxins in coal ash
5 can cause cancer, heart disease, lung and kidney
6 disease and birth defects.

7 Illinois is one of the worst
8 states for pollution from coal ash. Because of
9 the federal government's withdrawal from
10 environmental protection, strict measures are
11 called for at the state level. Robust and
12 enforceable rules for the Coal Ash Pollution
13 Prevention Act must require the safe disposal or
14 storage of coal ash, actively involve the public
15 and promote a helpful environment.

16 In Waukegan, Lake County,
17 Illinois, sited next to Lake Michigan is NRG's
18 subsidiary Midwest Generation coal burning power
19 plant. For decades, coal ash has been stored in
20 impoundments or historical coal ash storage areas.

21 The toxic coal ash is
22 contaminating the groundwater and the drinking
23 water locally and for millions of residents in
24 Illinois and surrounding states. We need to stop

1 future contamination and clean up the pollution
2 already in our water caused by these active and
3 inactive coal ash dumps. In order to protect the
4 groundwater's chemical integrity, rules for clean
5 up and the closure of coal ash sites must provide
6 permanent protection from coal ash pollution.

7 When coal ash gets wet, heavy
8 metals drain into the groundwater. Even ponds
9 with high quality liners have leaked due to cracks
10 or tears. Rain on coal fill leach metals into the
11 groundwater. Cleanup cannot be considered
12 complete as long as the coal ash can get wet.
13 This applies to not only the impoundments, but
14 also to coal ash landfills, dumps and scatter
15 fill.

16 As Waukegan is considered an
17 environmental justice community, it should receive
18 priority in closure of impoundments. To
19 facilitate the decision-making process, the League
20 believes that public understanding and
21 participation are essential. The public has the
22 right to know about pollution levels, dangers to
23 health and environment and proposed policies and
24 options.

1 With this being said, it is
2 essential for communities to be able to publicly
3 put their input in all plans, programs,
4 assessments, reviews and approvals of what is
5 going on in their community. This starts with
6 companies and elected officials being transparent
7 with their communities, access to documents and a
8 safe place for community members to give their
9 input. Thank you so much.

10 HEARING OFFICER HORTON: Thank you
11 very much for your comment. Circling back to Lisa
12 Velez. If Lisa Velez is on the line. V-E-L-E-Z.
13 Moving forward to Nancy Long. Nancy Long.

14 Okay. I note we're a few
15 minutes before the next segment which starts at
16 6:45, but I'll begin and see if anyone is here
17 from that section. As a reminder, if you are
18 participating via video, you can unmute yourself
19 by pressing the microphone button at the bottom of
20 the screen or if you're on telephone, by pressing
21 Star 6. First, Pamela Richart.

22 MS. RICHART: Yes, I am here. My
23 name is Pam Richart and I am the other co-director
24 of Equal Justice Collaborative, an environmental

1 non-profit located in Champaign, Illinois. I,
2 too, want to thank you for offering the
3 opportunity to provide input.

4 My organization has been
5 advocating for the removal of coal ash from
6 leaking impoundments along Illinois' national
7 scenic river for five years. The ripping away of
8 gabions installed to protect the ash from the
9 erosional forces of the Middle Fork has exposed
10 visible signs of coal ash pollutants seeping into
11 the river and epitomizes why coal ash stored in
12 floodplains or ash that comes into contact with
13 water should never be allowed and I have four
14 short comments.

15 First, coal ash, as you've heard
16 tonight, is one of the most toxic substances
17 known. The rules as drafted do not protect lakes,
18 streams, rivers, groundwater in Illinois
19 communities and often the drinking water from coal
20 ash stored in areas where it mixes with water. So
21 I urge you to adopt rules that prohibit any plant
22 that allows ash to come into contact with
23 groundwater. Ban impoundments from floodplains
24 because rising floodwaters can cause the ash to

1 move through the berms into surface waters.

2 Ensure there is no intermittent
3 reoccurring or sustained hydraulic connection
4 between ash and groundwater or surface waters and
5 in locations where the ash is known to be mixing
6 with groundwater or surface water, as it is along
7 the Middle Fork, the rules should require removal.

8 Second, do not accept closure in
9 place where impoundments pose significant risks.

10 Impoundments in a stable area, seismic areas,
11 wetlands and floodplains can pose a significant
12 risk if they collapse or where there is a breach
13 and threat of a breach of those impoundments built
14 in the Middle Fork's floodplain is very real. We
15 know breaches have happened in other states with
16 devastating consequences.

17 Third, financial assurances
18 should stay with the property and remain in place
19 as long as an impoundment exists or poses a
20 threat. The taxpayer never should be required to
21 pay for cleanup or removal. And, finally, the
22 rules do not require a CCR permit applicant to
23 submit specifics related to things like hazard
24 potential classification, emergency action plan,

1 structural stability, safety factor assessments,
2 fugitive dust control plans, safety and health
3 plans and these plans propose an assessment in
4 their support documentation are intended to
5 provide fundamental protections prescribed by SB
6 9.

7 They should be required and they
8 should be made available for public review and
9 comment. Yesterday, I heard the EPA justify
10 exclusion based on overlapping jurisdictions, but
11 unless these plans, assessments and support
12 documentation are submitted as part of the
13 permitting process the EPA will not have
14 jurisdiction oversight or enforcement
15 capabilities.

16 This exclusion is unacceptable
17 for these reasons, but it also denies community
18 review and input of proposals that directly affect
19 them and makes it impossible to determine who has
20 authority for enforcement.

21 So, in conclusion, I urge the
22 Pollution Control Board to strengthen the rules
23 and ensure a process that allows communities
24 meaningful input on all aspects of a closure plan.

1 Without that, you're putting their health and
2 safety and our water at risk.

3 HEARING OFFICER HORTON: Thank you.
4 Thank you very much for your comment. Moving on
5 to Pete Plescia. Pete Plescia, P-L-E-S-C-I-A.
6 Okay. I'll circle back later. Moving on to
7 Rachel Tompkins.

8 MS. TOMPKINS: Yes. Can you hear
9 me?

10 HEARING OFFICER HORTON: Yes, please
11 proceed.

12 MS. TOMPKINS: Okay. Thank you for
13 this opportunity to speak. My name is Rachel
14 Tompkins. I am a clinical psychologist. I'm a
15 member of the Edwardsville area League of Women
16 Voters and I'm chair of the Edwardsville Coal
17 Cities Committee. I am a nature lover, I am a
18 kayaker and I am a proponent of conservation clean
19 air and clean water initiatives.

20 I live close to the Mississippi
21 River and I am writing and speaking out of concern
22 specifically about the Wood River Power Plant on
23 the Mississippi. I am also aware that other coal
24 ash storage facilities around the banks of the

1 Illinois, Vermilion, Des Plaines River and on the
2 banks of Lake Michigan.

3 When coal ash storage
4 impoundments or ponds are wet, especially when
5 threatened by the flooding of these rivers as
6 happened last year to the Mississippi as we can
7 all recall, dangerous toxins are washed into
8 riverways. Even when not in flood, dangerous
9 toxic chemicals leach into groundwater and
10 drinking water sources such as from the five coal
11 ash storage impoundments of sizes up to 40 acres
12 at the Wood River Power Plant. This was sold to a
13 developer.

14 It is critical that these
15 impoundments be removed as storage in place can
16 never be safe on the banks of a river as the point
17 was already made, and adequate that they be
18 removed and adequately stored and capped securely
19 in a safer location. Workers doing this work need
20 to be protected from toxic dust into which they
21 will come into contact. Workers that remove coal
22 ash in Tennessee in 2008 became sick and four
23 workers died.

24 The company, which profited from

1 the process which produced the coal ash, needs to
2 be held responsible for a permanent solution for
3 this hazard. I'm asking that you, with our rules,
4 hold them responsible with ongoing groundwater
5 monitoring, no contaminated background wells. I
6 appreciate that our state passed a good law in SB
7 9. We now have to be careful to guarantee that
8 the rules are written to ensure that the
9 regulations are clear and protect citizens from
10 the effects of toxins and neurotoxins such as
11 arsenic, boron, chromium, lead, thallium -- and
12 thallium in our recreational and drinking water.
13 Thank you very much for your time and attention.

14 HEARING OFFICER HORTON: Thank you
15 very much for your comment. Moving on to Sandra
16 Loftus. If Sandra Loftus is on the line. As a
17 reminder, you can unmute yourself if you are on
18 video by pressing the microphone button at the
19 bottom of your screen or if you're on the
20 telephone --

21 MS. LOFTUS: Can you hear me?

22 HEARING OFFICER HORTON: Yes, please
23 proceed.

24 MS. LOFTUS: It gave me a different

1 direction on my screen. It told me to hit the
2 spacebar.

3 HEARING OFFICER HORTON: Okay.

4 MS. LOFTUS: I thought I would pass
5 that to you. Hello. Good evening. My name is
6 Sandy Loftus. I am a retired public schools
7 science teacher. I have 20 years under my belt
8 teaching science and I have a background in
9 clinical pathology which I worked for 18 years
10 prior to teaching. I am also a member of the
11 Kaskaskia Sierra Club, a fairly new member. I
12 currently live in Granite City, a community that
13 is being directly affected by coal fly ash at this
14 very moment which is why I wanted to speak
15 tonight.

16 Coal is being burned here
17 nightly under the cover of dark to produce coke,
18 the material added to molten iron to make steel.
19 My husband and I made the decision 18 years ago to
20 move back to our childhood hometown and to live
21 here in our retirement. We purchased and
22 renovated a house that will turn a hundred years
23 this year. We absolutely love our home. Even
24 looking at the steel mill blast furnaces from our

1 back bedroom window, we love our home.

2 We did not have our eyes closed
3 when we chose to live here. We knew there were
4 measures put in place to reduce pollutants in the
5 air and why we know that is that both of our
6 fathers played a role in helping to identify the
7 pollutants that were being kicked out through the
8 steelmaking process and we watched restrictions,
9 of course, over time that helped reduce that in
10 our immediate environment, but over the last
11 couple of years with the lifting of those
12 restrictions we can see with our own eyes the
13 visible, black soot accumulating on our window
14 sills.

15 The long-term suspension of
16 particles in the air have made a dark stain
17 running directly under the eaves around the entire
18 house, but mostly on the side facing the steel
19 mill. I try not to think about what it is doing
20 to our bodies. As you all continue through this
21 process to debate the containment of CCR, I ask
22 that you all simply do the right thing.

23 There is nothing good about coal
24 ash and it all needs to be contained. I would

1 like to end with a wish and question. I wish it
2 was in the power of the Illinois EPA to designate
3 coal ash as a hazardous waste. And my question,
4 will the coal ash created via the production of
5 steel be included in this containment process or
6 is it limited to just power utilities? Thank you
7 for your time.

8 HEARING OFFICER HORTON: Thank you
9 very much for your comment. It is appreciated.
10 Moving on to Stephanie Bush-Taylor.

11 MS. BUSH-TAYLOR: Absolutely. I
12 thank you for the opportunity to address you this
13 evening on such a very, very important issue. I
14 would like to start by saying that I am the
15 President and Executive Director of Community
16 Development Sustainable Solutions, which is a
17 smart green grassroots non-profit agent of change
18 located in East St. Louis. Our footprint is that
19 typical underserved area; Cahokia, Washington
20 Park, Sauget, East St. Louis, Centreville, all of
21 those areas. There are -- so we provide job
22 training, apprenticeships and we work through
23 issues of violence and ways to reduce recidivism.

24 We're also State of Illinois

1 Pillars of Excellence for our work to work through
2 structural racism and find equitable solutions.
3 So, with that, I wanted to kind of round off what
4 everyone is saying. So I don't want to be
5 repetitive, but, you know, dark-skinned,
6 African-American, Latino, poor people should no
7 longer bear the burden of these dangerous
8 pollutants that are inequitably distributed in our
9 communities and depending on the type of exposure
10 such contaminates can cause cancer and harm most
11 human organs, human organs, and kill or sicken the
12 wildlife.

13 As it has already been stated,
14 coal ash is the second largest source of
15 industrial waste in the country. I'm calling on
16 both the Illinois environmental officials and the
17 EPA for allowing Sauget, East St. Louis and
18 surrounding communities which are predominantly
19 dark-skinned Americans to become a dumping ground
20 for toxics without giving residents information
21 about the hazards.

22 The catchment areas leave those
23 nearby subject to leaks, discharges and spills.
24 And I need you to consider why our communities

1 must catch even more chemicals to our detriment.
2 We continue to perpetuate the myth of an angry
3 black people who need to be kept on the outskirts
4 of society while you continue to perpetually
5 inject poisonous risk factors. Specifically,
6 there are many studies that show the effects of
7 chemicals on residents living in or near ground
8 zero. We're talking about the same ones that are
9 historically underserved, underrepresented, but
10 always seem to receive the heavy hand of the
11 sanctioning agent.

12 The chronic truancy, the
13 tardiness, joblessness, layoffs due to illness,
14 maladaptive behaviors, they all stem from this
15 poison that is being allowed and strategically
16 placed in our community yet we continue to deal
17 with inequities in the police departments, school,
18 employment opportunities and normal race relations
19 which stem from these prejudices and stigmas that
20 are caused from the historic poisoning of these
21 underrepresented people of color communities.

22 In this time that we're dealing
23 with COVID and the death of George Floyd and so
24 many others, I have to ask myself when I go to the

1 park and I read the signs saying that you're going
2 to fill up on fisheries, why are you filling the
3 lakes with fresh fish? I cannot help but consider
4 that it is just to ensure that we ingest the coal
5 ash and God knows what else. It is disrespectful
6 to even have to discuss what you so carefully
7 exclude from your own backyard.

8 We are in a time of COVID with
9 food shortages. There are kids/students who need
10 to fish right now, but we're still discussing what
11 we have been studying and what we already know.
12 There is families that have to be self-sufficient
13 and begin to garden.

14 I'm going to bring up one more
15 point and I'll let you go. That is that
16 environmental justice is the fair treatment and
17 meaningful involvement of all people regardless of
18 race, color, nation, origin or income. So I
19 wonder if we're all meaningfully involved than why
20 haven't we all come up with a solution? It would
21 seem that the sanctioning agencies are too caught
22 up in political agendas and moneymaking schemes
23 and life seems to lose its value.

24 Please do something on behalf of

1 the people living now and our children who must
2 grow up under the same stigma that we are
3 currently under due to the historic poisoning and
4 the fallout that is indicative of what we see
5 playing out daily in the news. Thank you.

6 HEARING OFFICER HORTON: Thank you
7 very much for your comment. Circling back to Pete
8 Plescia if you are on the line. As a reminder,
9 you can unmute yourself by pressing the microphone
10 button or pressing Star 6 if you're on the
11 telephone.

12 MR. PLESCIA: Yes. Can you hear me?

13 HEARING OFFICER HORTON: Please
14 limit yourself to a three-minute comment. Please
15 proceed.

16 MR. PLESCIA: Sure. I just had
17 brief comments, but to introduce myself I'm a
18 veterinary. I live in Galesburg, Illinois, so
19 Western Illinois, and we have lived here about ten
20 years. I've been involved with Sierra Club on and
21 off for the last ten years and I thought this was
22 a good opportunity to kind of check out what is
23 going on.

24 I did some reading on coal ash

1 and essentially just want to put in my, you know,
2 two cents that we try and basically look at making
3 restrictions in a way that will make, you know,
4 the coal industry realize that it is time to move
5 on to more sustainable resources. Personally,
6 we've switched over our business to using a
7 hundred percent solar and we've had very good
8 experience and good support from the community and
9 the state and even the federal government in terms
10 of resources that way and so, you know, just I
11 think it's time to put the restrictions on in a
12 heavy enough way that it makes that form of
13 producing energy, you know, become very obvious
14 that it is going towards obsolete and only step
15 forward towards more sustainable production of
16 energy.

17 HEARING OFFICER HORTON: Thank you
18 very much for your comment. We'll move on to the
19 7:00 to 7:15 segment. Mr. Steven Sondheim, are
20 you on the line? Steven Sondheim. Moving on.
21 Just as a reminder, if you are on video, unmute
22 yourself by pressing the microphone button at the
23 bottom of the screen. If you're on the telephone,
24 by pressing Star 6. Stuart Levy.

1 MR. LEVY: Hi. I hope this is
2 working.

3 HEARING OFFICER HORTON: Yes.
4 Mr. Levy.

5 MR. LEVY: Okay. Good. Great.
6 Thanks. I'm Stuart Levy from Champaign. I'm a
7 volunteer with the Prairie Group of the Sierra
8 Club.

9 I'd like to bring some concerns
10 about the proposed coal ash rules and how they
11 might affect our group's area and a place that
12 matters to me, that is the Middle Fork of the
13 Vermilion River, and over it, as you've been
14 hearing, hangs a huge pile of coal ash from Dynegy
15 Vistra. So I visited that river and I kayaked on
16 it. I hope some of you have seen it, too. It's a
17 very pretty place, but along the bank you can see
18 exposed the edge of the coal ash pile and leachate
19 seeping steadily into the waterway and presumably
20 more material is seeping into the groundwater
21 where we can't see it. The gabions that aim to
22 slow the river's erosion of the ash pile can't
23 hold up indefinitely. They aren't holding up.

24 In the long-term, the meandering

1 river is going to win and some spring flood might
2 undermine that ash pile and bring some huge volume
3 of ash sweeping down river as has happened
4 elsewhere. So when that time comes, who could
5 afford to clean up the river? The ash needs to be
6 moved away from the river. There is even
7 contiguous land outside of the floodplain even
8 owned by the same company where it could be moved
9 to.

10 With the passage of the SB 9
11 coal ash bill, who Senate and House champions
12 Senator Scott Bennett and Representative Carol
13 Ammons are from this area, the great hope was that
14 it would be a framework for protecting the
15 environment over the long-term from coal ash piles
16 like this one including determining whether, when
17 and how they must be moved.

18 There was bi-partisan support
19 for the idea that polluters should be on the hook
20 for the cost of preventing pollution, not for
21 disasters to be left for cleanup at public
22 expense. So that's the law that these regulations
23 are supposed to implement.

24 At an Illinois EPA input session

1 last year, I expressed the hope that those
2 proposed rules would not rely on U.S. EPA
3 standards for regulating coal ash as the federal
4 government had been working to undermine those, as
5 they since continued to do, but there are some
6 aspects where the proposed rules do depend on not
7 even U.S. EPA final rules, but U.S. EPA proposals
8 which are turning out to be even worse. So some
9 of them look relevant here. There is the notion
10 of temporary accumulation of a CCR storage pile,
11 but there's no limit set on either how long a
12 temporary pile might remain nor how large it might
13 be.

14 There is supposed to be a
15 documented timeline for removal, but not only how
16 long the timeline might be or how complete the
17 coal ash removal might be or even the removal
18 needs to actually happen. The proposed rules also
19 incorporate another U.S. EPA proposal that allows
20 ash pile owners unlimited time to clean up
21 groundwater with any number of extensions that
22 could be permitted and doesn't even explicitly
23 require that the groundwater protection standards
24 must even be reached.

1 So when a coal ash pile is
2 closed by removing its ash, that sounds like a
3 good thing. Its owners must be strictly required
4 to meet groundwater pollution standards, not
5 simply walk away. On the other hand, in the
6 proposed laws, I'm very happy to see the
7 requirement that groundwater monitoring must
8 continue after a site is closed until the
9 groundwater standards are met instead of ending
10 the monitoring requirements after 30 years. I
11 think that's the right way to treat regulation of
12 this multigenerational problem. Anyway, thanks to
13 you all for holding this public hearing. That's
14 it.

15 HEARING OFFICER HORTON: Thank you
16 very much for your comment. Moving on to Tessine
17 Murji.

18 MS. MURJI: That's Murji.

19 HEARING OFFICER HORTON: Please
20 proceed.

21 MS. MURJI: Hi, everyone. My name
22 is Tessine and I'm an organizer for the Ready for
23 100 Campaign with the Illinois Sierra Club. I'm
24 speaking for coal ash protections because I

1 believe that we must protect people from harmful
2 pollutants that will affect our children and
3 grandchildren. Effects of coal ash are not a
4 short-term problem. They are a long-term problem
5 with dire human consequences.

6 As you know, research has shown
7 that coal ash can cause nervous system impacts
8 like developmental delays and cognitive deficits.
9 It can also cause cancer, heart damage, lung
10 disease among other severe health problems. It is
11 important that we implement strict regulations
12 similar to those in Michigan in order for our
13 communities to breathe clean air and drink clean
14 water. These are basic human rights, not luxuries
15 that should be available to all Illinoisians. Thank
16 you.

17 HEARING OFFICER HORTON: Thank you
18 very much for your comment.

19 Moving on to Toni Louise Oplt.
20 As a reminder, you can press --

21 MS. OPLT: Yes. Can you hear me?

22 HEARING OFFICER HORTON: Yes, please
23 proceed.

24 MS. OPLT: Hi. Thank you so much

1 for, again, holding a public comment portion of
2 the hearing process. My name is Toni Oplt and I
3 live in Edwardsville, Illinois. I am a member of
4 the Metro East Green Alliance and the Sierra Club.

5 The Metro East region sits along
6 the Mississippi River and is home to diverse
7 residents. There are community run members of
8 river towns like Alton and East Alton. There is
9 abundant wildlife including the bald eagle and
10 myriad species of fish and, in times without a
11 pandemic, there are boaters and skiers and
12 fledgling tourism businesses.

13 This area is also home to the
14 shuttered Wood River Power Station just -- that
15 sits just feet along the Mississippi River and
16 feet from the Wood River Creek. It was abandoned
17 in 2016 by Dynegy Vistra and it is now owned by
18 Commercial Liability Partners. It is a company
19 that has spent (audio cut out) and nearly zero
20 protective oversight. At least four deep unlined
21 ponds sit on this property and are designated per
22 the company's current closure plan to be capped in
23 place.

24 Citizens here do not deny that

1 they are really concerned about this situation.
2 We also don't deny climate change and we don't
3 deny the frequent flooding that comes with it.
4 Last year flooding left river towns like Alton and
5 Grafton shut down for months because their streets
6 were impassable due to high water.

7 So I'm wondering given that the
8 Wood River Power Station sits on a floodplain in a
9 time of escalating climate crisis why the IEPA
10 decided not to include floodplains on its list of
11 locations that are deemed restricted from capping
12 in place?

13 It isn't only the rainwater from
14 above that threatens to unleash the pollution
15 housed at the Wood River Power Station. It is
16 also the inevitable rising water table from below
17 that will allow the ash in the unlined ponds to
18 become saturated and the water in those ponds
19 already proven to contain unacceptable levels of
20 major toxins will flow back out as the water
21 recedes polluting fragile ecosystems and wetland
22 habitat poisoning the drinking water of already
23 devastated communities all for corporate savings
24 and gain.

1 To deny this outcome is
2 negligent and unacceptable. The rules for safe
3 clean up and storage of coal ash should not --
4 should not only make clear that the coal ash under
5 no circumstance should be wet, but that the
6 protection from CCR contamination is not possible
7 on a floodplain simply by capping ponds in place.

8 A cap does nothing to protect us
9 from that raising groundwater and then the
10 subsequent leaching. Designating floodplains as a
11 restrictive location is particularly important to
12 our area near the Wood River Power Station, but as
13 you've heard all along rivers and streams and
14 creeks in Illinois there are coal ash impoundments
15 that are, likewise, flood prone and will also
16 leach due to the groundwater problem. You know,
17 it's rained for three days here and I have seen
18 flood warnings run across my TV every day.

19 So ash ponds on floodplains pose
20 a great threat to my community and communities
21 across Illinois. They should not be allowed to be
22 capped in place, those ponds, and this danger
23 should not be denied. I do thank you for this
24 opportunity.

1 HEARING OFFICER HORTON: Thank you
2 so much for your comment. Moving on to Tony Gray.
3 Tony Gray, G-R-A-Y. Just as a reminder, you can
4 unmute yourself if you are on video by pressing
5 the microphone button. If you are on a telephone,
6 by pressing Star 6. Please limit yourself to
7 three minutes of comments. Okay. I'll circle
8 back to Mr. Gray. Tony Heath.

9 MR. HEATH: Hi. Am I unmuted?

10 HEARING OFFICER HORTON: Yes, please
11 proceed.

12 MR. HEATH: Hi. I'm Tony Heath and
13 I'm a professional civil engineer in the State of
14 Illinois and I've volunteered in the past with
15 eco-justice collaborative on their campaign to
16 protect the Middle Fork from coal ash impoundment
17 on the Vermilion power station.

18 The first thing I'd like to say
19 is that I support the items that were outlined in
20 public comments submitted by the Environmental Law
21 and Policy Center as well as others on June 15th,
22 2020.

23 However, since my time is short,
24 I wanted to limit my comments to two primary areas

1 of concern with the rules proposed by the Illinois
2 EPA.

3 Firstly, that the rules do not
4 adequately protect Illinois ground and surface
5 waters and, secondly, they don't provide adequate
6 opportunities of meaningful public participation.
7 So, first of all, as is noted in the proposed
8 rules, coal ash contact with groundwater allows
9 for the leaching of chemicals hazardous to human
10 and animal health.

11 However, the rules as written
12 currently allow for coal ash to be stored in
13 impoundments which place them within the local
14 groundwater table. This issue is exacerbated by
15 the fact that the current rules do not prohibit
16 the storage of coal ash within designated
17 floodplains. Variable groundwater levels within
18 the floodplain (audio cut out) both leaching
19 chemicals (audio cut out) periodic soaking and
20 then draw down of this water. And in addition to
21 allowing coal ash to be stored in the floodplain,
22 it creates additional hazard as rivers seek to
23 reclaim their natural waters.

24 Therefore, I recommend that the

1 rules be revised to prohibit placement of coal ash
2 within five feet of a local groundwater table and
3 also as previously stated to add floodplains to
4 the list of restricted restrictions.

5 Secondly, as you know, we're all
6 very aware at this point the handling of coal ash,
7 coal combustion residuals is incredibly complex.
8 It is so complex that 14 days is a laughingly
9 inadequate amount of time to ensure that the
10 public is able to become aware of and review
11 application materials prior to the pre-application
12 public meeting. In order to ensure that these
13 rules provide meaningful public participation, I
14 recommend that the rules require the full permit
15 application, including all supporting documents
16 and materials made available as part of the public
17 notice and that the public be given a full 30-day
18 period to review these materials before the public
19 hearing. That's all. Thank you.

20 HEARING OFFICER HORTON: Thank you
21 very much for your comments. Next, Cass O'Keefe.
22 If you are on the line, Cass O'Keefe.

23 MS. O'KEEFE: I'm having trouble
24 unmuting.

1 HEARING OFFICER HORTON: Okay. No
2 problem. You're unmuted.

3 MS. O'KEEFE: I'm unmuted?

4 HEARING OFFICER HORTON: Yes, we can
5 hear you.

6 MS. O'KEEFE: Okay. Thank you for
7 allowing me to speak this evening. My name is
8 Cass O'Keefe and I am a resident of Waukegan and I
9 am a member of Clean Power Lake County. I live
10 about a mile from the NRG coal fire power plant
11 which is located in Waukegan on Lake Michigan.

12 Lake Michigan is a precious
13 resource that those of us who live here treasure
14 and it worries me that coal ash from old coal ash
15 sites on the NRG property is polluting nearby
16 groundwater. I ask that you include these dump
17 sites in the rules for coal ash clean up. I also
18 would ask you to prioritize environmental justice
19 communities like Waukegan. Waukegan's pollution
20 problems have been ignored for far too long.
21 Please put our coal ash clean up at the top of the
22 list of communities to be taken care of.

23 Also, please monitor the clean
24 up. As an asthma sufferer, I know what it feels

1 like when poor air quality makes it difficult to
2 breathe. Protect our community and workers from
3 the spilling of coal ash dust during clean up.
4 Make sure there is meaningful oversight by
5 independent organizations who know what they are
6 doing and serve the interests of the people
7 nearby. And, finally, please keep us informed.
8 Make sure there is clear communication with the
9 community about what is being decided and being
10 done. Thank you.

11 HEARING OFFICER HORTON: Thank you
12 very much for your comment. Julie Luner.

13 MS. LUNER: Okay.

14 HEARING OFFICER HORTON: Yes, we can
15 hear you.

16 MS. LUNER: Good evening. My name
17 is Julie Luner. I am a member of the Heart of
18 Illinois Sierra Club. I live in Peoria, Illinois
19 not too far from the Dynegy ED Edwards coal plant
20 and I'm speaking today to express my concern that
21 the rules for coal ash sites are written to be
22 strong. Simply capping the coal ash dumps is not
23 sufficient to protect our waterways and
24 specifically the rules should ensure the

1 following.

2 One, permanently protect water
3 from coal ash pollution; two, cover not only coal
4 ash impoundments, but also coal ash fill and old
5 coal ash dumps; three, it should ensure worker and
6 community protection; four, environmental justice
7 communities should be prioritized; five, the
8 public has access to and an opportunity to review
9 all supporting documents to ensure that
10 communities have a voice that are protected and
11 owners and operators are complying with required
12 safeguards; and, finally, the final rule must not
13 be weakened by including unapproved federal
14 rollbacks. Thank you for your time and good
15 evening.

16 HEARING OFFICER HORTON: Thank you
17 very much for your comment. I am going to circle
18 back to the individuals who were not on the line
19 for the 7:00 to 7:15 time period and then I'll
20 begin at the beginning for the individuals who
21 were not available starting at 5:00. So hopefully
22 we'll get everybody.

23 Mr. Steven Sondheim, are you on
24 the line? Steven Sondheim. Okay. Mr. Tony Gray.

1 Tony Gray. Okay. I'm circling back to the
2 beginning and as a reminder, if you are on mute
3 participating by video, please press the
4 microphone button on the screen to unmute
5 yourself. If you are calling in by telephone,
6 please press Star 6 to unmute yourself.

7 And we'll begin -- please limit
8 yourself to a three-minute comment. Amy
9 Kitzmiller. Amy Kitzmiller. April Sedall. April
10 Sedall. Arlene McFadden. Arlene McFadden.
11 Barbara Beckler. Barbara Beckler. Christa
12 Haberkorn. Christa Haberkorn. David Blood.
13 David Blood. Ella Simms. Ella Simms. George
14 Crouse. George Crouse. Gloria Heggy. Gloria
15 Heggy. James Fallaw. James Fallaw. Jen Halbert.
16 Jen Halbert. Jenica Hopkins. Jenica Hopkins.
17 Jessica Blasingame. Jessica Blasingame. Joey
18 Gage. Joey Gage. Kathryn Dittimore. Kathryn
19 Dittimore. Laura Hansen. Laura Hansen. Laurie
20 Willets. Laurie Willets. Linda Englund. Linda
21 Englund. Linda Scott. Linda Scott. Lisa Velez.
22 Lisa Velez. Nancy Long. Nancy Long.

23 And that concludes our public
24 comment section for tonight. Thank you very, very

1 much for all the members of the public who
2 provided their comments today. The Board greatly
3 appreciates it and, again, as a reminder the Board
4 gives equal weight to both written and public
5 comment. That concludes our public comment
6 section for tonight and we will begin tomorrow at
7 8:00 a.m. Thank you very much.

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<p style="text-align: center;">A</p> <p>A.D 103:13 a.m 102:7 abandoned 12:14 18:5 26:18 92:16 ability 25:22 able 6:18 72:2 97:10 absence 7:4 absolutely 16:1 79:23 81:11 abundant 92:9 accept 62:4 74:8 access 25:18,22 28:5 32:3 55:16 70:22 72:7 100:8 accessible 49:8 70:6 accident 22:22 account 12:5 14:4 32:1 accountable 15:8 24:18 26:19 71:14 accumulating 80:13 accumulation 89:10 achieve 59:13 achieved 52:7 acres 77:11 act 19:23 39:1 48:11,14 50:5 68:13 action 14:9,24 42:2 74:24 actions 57:12 59:6 active 21:24 42:20 69:2 actively 30:21 68:14 activist 3:14</p>	<p>acts 58:5 add 39:1 41:19 42:17 97:3 added 79:18 adding 43:11 addition 11:15 23:18 27:14 46:10 96:20 additional 50:17 96:22 Additionally 54:19 70:5 address 7:15 27:18 34:13 43:8 49:4 81:12 addressing 59:7 adequate 15:1 37:7 49:9 77:17 96:5 adequately 77:18 96:4 adjacent 41:22 Adm 1:6 Administrative 2:7 Administrator 13:3 adopt 73:21 adult 32:10 adults 18:20 32:15 advance 50:1 adverse 50:23,23 56:10 advocate 17:9 67:24 advocates 19:1,14 advocating 73:5 affairs 15:10 affect 39:19 75:18 87:11 91:2 afford 88:5 aforesaid 103:6 Africa 56:21 57:2</p>	<p>African-Americ... 30:23 82:6 age 16:7 agencies 19:10 38:4 84:21 agency 13:1 14:23 19:12 42:19 48:22 50:10,16 50:19 Agency's 50:8 agendas 84:22 agent 81:17 83:11 ago 67:21 79:19 agriculture 46:15 ahead 3:10 6:9 aim 87:21 air 7:24 12:10,19 14:7 17:13 22:7 36:13 51:14 68:1 71:8,11 76:19 80:5,16 91:13 99:1 alarmed 7:6 alarming 45:6 Alice 3:1,12 Alliance 33:13 92:4 allow 46:2 52:5 93:17 96:12 allowable 54:7 allowed 34:2 45:3 62:3,6 73:13 83:15 94:21 allowing 6:10 8:17 20:7 40:15 42:7 42:10,11 53:2 55:21 82:17 96:21 98:7 allows 73:22 75:23 89:19 96:8 Alton 92:8,8 93:4 American 71:10 Americans 82:19</p>	<p>Ammons 88:13 amount 97:9 amounts 44:14 Amy 4:22,23 8:21 35:5 101:8,9 and/or 50:22 angry 83:2 animal 11:8 51:19 96:10 anybody 33:8 Anyway 90:12 apologies 24:13 apologize 15:22 40:8 apparently 56:16 appear 59:5 appears 103:8 applicant 74:22 application 97:11 97:15 applied 49:20 applies 69:13 apply 14:14 appreciate 5:22 9:22 34:15 36:7 47:14 78:6 appreciated 17:2 64:8 81:9 appreciates 102:3 apprenticeships 81:22 approach 52:23 appropriate 14:10 14:13 approval 19:17 approvals 72:4 approve 42:19 approved 32:5 63:15 approximately 44:1 April 5:3,4 9:3 35:7,7 101:9,9 Aquifer 37:13,16</p>	<p>area 37:15 39:16 40:18 48:20 49:1 64:1 70:7 74:10 76:15 81:19 87:11 88:13 92:13 94:12 areas 31:18 39:6 46:15 68:20 73:20 74:10 81:21 82:22 95:24 argue 31:7 Arlene 6:1,1 9:4,4 35:7,8 101:10,10 arsenic 11:2 18:15 22:10 51:17 58:14 68:3 71:3 78:11 ascribed 58:20 ash 3:22 4:8,14,17 6:22 7:8,20,23 8:7,8 9:23 10:9 11:3,15,21 12:12 13:7,19 14:14 16:5,15,17,18,19 17:15 18:22 19:5,21,22 20:6 20:9,15,19,23 21:18 22:1,5,11 22:23 23:8,15,16 23:20,23 24:16 24:18 25:15 26:4,15,16,21 27:11,13,17,22 30:22 31:8,14,16 31:18,19,20,22 33:15,19,22,23 34:2,3,9 36:15 36:17 37:20,20 39:5,14,18 40:16 41:8,9,17,22 42:5,7,10,11,15 42:20,22 43:4,23</p>
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44:5,5,12,14,19 45:2,3,6 46:2,9 46:10,18,18 47:1 47:3,4,6,6,10,13 48:10 50:4 51:15,22,24 52:5 52:6,12,13,14,21 54:2,7,11,11,12 54:14,15,16,17 54:20,24 55:2,4 55:7,9,12,13 57:20,21 58:7,9 58:10,10,15,18 59:7 60:24 61:1 61:13,16,22 62:1 62:4,6,10,11,13 62:18,22,23 63:10,12,14,17 63:22 64:24 65:2,3 66:3,8,9 66:10,11,16,23 68:1,2,4,8,12,14 68:19,20,21 69:3 69:5,6,7,12,14 70:22 71:1,19,20 71:21,22,23 73:5 73:8,10,11,12,15 73:20,22,24 74:4 74:5 76:24 77:3 77:11,22 78:1 79:13 80:24 81:3,4 82:14 84:5 85:24 87:10,14,18,22 88:2,3,5,11,15 89:3,17,20 90:1 90:2,24 91:3,7 93:17 94:3,4,14 94:19 95:16 96:8,12,16,21 97:1,6 98:14,14 98:17,21 99:3,21 99:22 100:3,4,4 100:5	aside 2:14 19:15 37:7 asking 11:19 78:3 aspects 28:6 75:24 89:6 assessable 49:5 assessment 75:3 assessments 19:18 72:4 75:1,11 asset 4:7 assigns 10:4 associated 25:13 58:15 Association 71:10 assume 57:5 assumes 62:19 assurance 15:2 assurances 37:2,7 39:13 74:17 assure 12:10,13 assured 49:23 asthma 98:24 ASTM 62:17 attend 5:9,11 attending 5:18 attention 59:17 64:16 78:13 audio 25:16 26:3 54:10 92:19 96:18,19 August 1:10 2:12 authority 75:20 autoimmune 16:11 available 50:1 70:4 75:8 91:15 97:16 100:21 Avenue 1:9 avid 44:16 aware 31:5 49:15 76:23 97:6,10 <hr/> B <hr/> B-L-A-S-I-N-G...	29:20 B-L-O-O-D 15:16 back 7:3 8:20 9:6 21:1,8 28:17 29:4 33:6 34:16 35:3 53:4 60:1,9 67:23 72:11 76:6 79:20 80:1 85:7 93:20 95:8 100:18 101:1 backdoor 62:12 background 31:17 61:7 71:23 78:5 79:8 backyard 66:2,4 84:7 bald 92:9 Ban 73:23 bank 18:3,11 87:17 banks 4:11 7:5 76:24 77:2,16 bar 45:24 Barbara 6:3,4 9:5 35:8,9 101:11,11 Bartlett 24:15 base 41:19 based 48:24 75:10 basic 28:4 91:14 basically 86:2 battling 10:13 beaches 18:23 bear 82:7 beauty 40:21,23 Beckler 6:3,4 9:5 9:5 35:8,9 101:11,11 bed 6:14,17 bedroom 80:1 beg 18:22 began 54:5 beginning 2:16,24 100:20 101:2 behalf 67:22	84:24 behaviors 83:14 believe 10:21 28:3 33:2 50:18 58:17 91:1 believes 52:19 69:20 belt 79:7 beneath 44:9 beneficial 62:5 71:16 benefit 61:17 Bennett 88:12 berm 16:17 berms 74:1 Bernat 21:10,11 21:13 best 4:7 17:8 18:9 59:16 65:6 better 41:14,15 bi-partisan 65:1 88:18 bi-partisanally 64:23 bi-product 25:7 bi-products 62:5 62:19 big 66:8 bill 15:5 19:3,8,8 54:16 88:11 billions 67:1 biochemistry 70:19 birth 11:7 41:13 68:6 birthday 16:9 bishop 10:4 bit 8:11 21:6 29:10 33:4 35:2 35:17 53:8 60:7 black 23:1 80:13 83:3 blaming 12:15 Blasingame 29:19	34:24,24 35:15 35:15 101:17,17 blast 79:24 blatant 56:24 blending 59:9 blood 15:16,16 21:4,4 35:10,10 63:18,20 101:12 101:13 Blumenshine 35:19,24 36:3,5 36:6,8 Board 1:1,9 2:2,9 11:14 19:13 21:16 23:11 42:2,16 47:1 60:21 75:22 102:2,3 103:1 boaters 92:11 bodies 80:20 body 7:7 63:21 Borgia 17:3,4,5 born 16:6 64:19 boron 11:2 22:10 68:3 78:11 bottom 15:19 24:4 28:12 29:3 32:23 34:19 35:21 40:4 59:22 67:12 72:19 78:19 86:23 bottoms 7:18 box 49:18 brain 17:12 41:12 brains 18:16 Brazil 13:13 breach 44:13 45:8 46:17 74:12,13 breaches 74:15 breast 16:12 breathe 91:13 99:2 brew 24:21
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Brickey 1:9 103:3 103:18 brief 85:17 briefly 49:3 bright 6:18 bring 84:14 87:9 88:2 brother 56:15,19 brother's 58:12 build 10:22 built 16:18 74:13 burden 65:16 82:7 buried 44:12 burned 79:16 burning 25:7 68:18 71:2 Bush-Taylor 81:10,11 business 86:6 businesses 92:12 button 8:23 15:18 24:4 28:12 29:2 29:13 32:23 34:19 35:21 40:3 47:20 53:12 56:3 59:22 60:13 67:12 72:19 78:18 85:10 86:22 95:5 101:4	21:7 29:12 82:15 101:5 Camp 43:15,16,17 43:20,21 campaign 90:23 95:15 cancer 11:6 16:12 18:17 22:15 25:11 41:12 65:17 68:5 71:6 82:10 91:9 cancer-causing 17:14,20 cancers 52:16 canoe 7:3 44:22 canoeing 7:12 44:19 canoers 44:16 cap 42:22 63:7,16 64:3 94:8 capabilities 75:15 capacity 59:12 65:18 capped 52:5 77:18 92:22 94:22 capping 7:14 93:11 94:7 99:22 care 25:18 44:24 52:13 98:22 careful 78:7 carefully 84:6 careless 61:17 Carlinville 61:5 Carmel 57:23 Carol 88:12 Carolina 13:12 58:5 66:16 Carolyn 6:5,5 Cass 97:21,22 98:8 casual 66:11 catastrophic 44:13 45:8	46:21 catch 17:23 83:1 catchment 82:22 caught 84:21 cause 1:8 11:4,6 25:8 54:17,24 65:18 68:5 71:6 73:24 82:10 91:7,9 caused 58:12 69:2 83:20 causing 22:12 41:11 CCR 74:22 80:21 89:10 94:6 Center 95:21 central 33:12 40:18 62:15 Centreville 81:20 cents 86:2 centuries 22:18 century 18:21 certain 38:7 certainly 14:7 57:12,20 Certified 103:3 certify 62:18 103:4 cetera 8:8 63:23 chair 76:16 challenges 36:11 59:8 Champaign 17:5 45:16,22 48:7 73:1 87:6 champions 88:11 chance 9:22 12:9 40:16 change 39:7 56:12 59:13 81:17 93:2 changed 50:19 chat 33:5 Chatelier 63:4	check 85:22 checking 49:18 71:22 chemical 69:4 chemicals 6:23 7:7 33:16 51:17 51:18 52:4,21 66:19 71:6 77:9 83:1,7 96:9,19 chemistry 61:8 Chicago 13:1 16:7 48:20 65:13 103:20 Chief 13:3 childhood 17:6 79:20 children 12:11,11 17:10,18,23 18:14 20:22 25:1 30:18 32:8 32:14 85:1 91:2 choices 25:21 chose 80:3 Christa 101:11,12 Christina 9:13,18 chromium 22:10 51:18 68:3 78:11 chronic 83:12 churches 10:4 circle 21:8 28:17 29:4 34:16 35:3 60:9 76:6 95:7 100:17 circling 21:1 60:1 72:11 85:7 101:1 circumstance 94:5 circumstances 50:13 cited 46:5 Cities 13:5 76:17 citizen 9:22 43:22 citizens 60:23	61:14,22 63:24 64:4 67:7 78:9 92:24 City 46:20 79:12 civil 95:13 classification 74:24 clay 63:12 clean 4:3 6:12,17 6:24 8:3 12:10 25:22 28:3 32:9 36:13,13 38:24 41:7 47:9 51:20 64:24 69:1,4 76:18,19 88:5 89:20 91:13,13 94:3 98:9,17,21 98:23 99:3 cleaned 16:20 cleaner 31:14 cleaning 39:10 47:8 58:5 65:23 Cleanly 8:5 cleanup 7:20 12:16 20:5,8,14 20:17 26:4,13,19 31:14,15 36:24 37:4,8 64:1 67:2 69:11 71:14,18 71:20,23 74:21 88:21 cleanups 70:22 clear 8:6 13:13,16 27:6,6 43:1 47:9 71:19 78:9 94:4 99:8 client 65:15 climate 43:9 51:10 93:2,9 clinical 76:14 79:9 close 7:9 13:20 16:8,9 33:24 36:16 52:1 76:20
C				
C-R-O-U-S-E 28:19 cadmium 18:15 Cahokia 81:19 call 3:1 19:13 56:10 62:4 call-in 5:6 called 1:8 10:21 21:9 35:4 68:11 calling 8:24 15:19				

<p>closed 6:13 13:23 18:4 27:13 31:15 33:23 47:6 63:9 80:2 90:2,8 closely 14:17,19 14:22 closing 33:18 71:13 closure 12:16 14:12,21 20:14 20:17 24:16 38:12 42:19,22 43:1,5 63:11,14 69:5,18 71:19 74:8 75:24 92:22 clothes 6:17 Club 3:14 36:9 79:11 85:20 87:8 90:23 92:4 99:18 clue 39:17 co-director 48:6 72:23 coal 1:5 2:8 3:21 3:22,22 4:8,14 4:17 7:8,23 9:23 10:9,9 11:3,15 11:21 12:12 13:7,19 14:14 16:5,15,18,19 17:15 18:6,21,22 19:5,21,22 20:15 20:19,23 21:18 21:24 22:1,5,11 22:23 23:8,15,16 23:20,23 24:16 24:18 25:7,15 26:4,15,16,21 27:10,13,16,22 30:21 31:8,18,19 31:19,22 33:15 33:19,22 34:2,3</p>	<p>34:9 36:15,16 37:20,20 39:5,14 39:17,18 40:16 41:8,9,17,22 42:5,7,15,20,22 43:4,23 44:3,4 44:12,14,19 45:2 45:3,6 46:2,9,10 46:18,18 47:1,2 47:4,6,13 48:10 50:4 51:15,16,21 51:24 52:5,6,12 52:13,14,20 54:2 54:7,11,11,12,14 54:15,15,17,20 54:24 55:2,4,7,9 55:12,13 57:17 57:20,21,23,24 57:24 58:7,10,10 58:15,18 59:7 60:24 61:1,9,10 61:10,13,16,17 61:20,22,23 62:1 62:2,4,4,5,10,11 62:12,12,13,14 62:18,19,22,23 63:10,17,17,21 64:24 65:2,3,14 66:3,8,9,10,11 66:16,23 68:1,2 68:4,8,12,14,18 68:19,20,21 69:3 69:5,6,7,10,12 69:14 70:21 71:1,2,5,15,20 71:21,22,23 73:5 73:10,11,15,19 76:16,23 77:3,10 77:21 78:1 79:13,16 80:23 81:3,4 82:14 84:4 85:24 86:4 87:10,14,18 88:11,15 89:3,17</p>	<p>90:1,24 91:3,7 94:3,4,14 95:16 96:8,12,16,21 97:1,6,7 98:10 98:14,14,17,21 99:3,19,21,22 100:3,3,4,5 coal-fired 62:14 cobalt 11:1 58:14 63:18,20 Code 1:6 2:7 Cody 40:7 Coffeen 36:21 61:5 63:9,22 cognitive 91:8 coincidence 30:22 coke 79:17 collaborated 45:17 collaborative 48:6 48:18 72:24 95:15 collapse 52:20 74:12 college 53:22 color 23:2,7 31:1 83:21 84:18 Colorado 13:13 colors 7:7 combustion 1:5 2:8 57:17 62:5 62:19 97:7 come 12:12 33:6 41:6 73:22 77:21 84:20 comes 37:13 41:18 42:2 73:12 88:4 93:3 commencing 1:10 commend 13:9 comment 2:3 12:21 15:15 17:2 21:1 24:1 28:2,10 29:17</p>	<p>32:18 39:8 40:1 43:15 47:14,17 49:9 50:2 51:5 56:1 59:19 64:10 67:10,14 70:13 72:11 75:9 76:4 78:15 81:9 85:7,14 86:18 90:16 91:18 92:1 95:2 99:12 100:17 101:8,24 102:5,5 commentators 34:6 commentors 28:14,16 34:16 comments 2:15,20 9:23 34:15 38:14,16 39:22 51:3 73:14 85:17 95:7,20,24 97:21 102:2 Commercial 92:18 Committee 76:17 committing 65:15 communication 99:8 communities 10:5 10:23 11:23 12:1,3,13,17 14:4 19:2 23:2,7 23:7,13,14,19,21 27:16 31:1 32:1 52:12,14,24 55:13,15 60:23 61:19,21 66:18 70:23 71:5,16 72:2,7 73:19 75:23 82:9,18,24 83:21 91:13 93:23 94:20 98:19,22 100:7 100:10</p>	<p>community 13:17 14:7 30:23 31:5 31:9,21 32:10 33:13 46:8 62:15 64:5 69:17 72:5,8 75:17 79:12 81:15 83:16 86:8 92:7 94:20 99:2,9 100:6 companies 6:20 8:3 18:21 20:7 24:18 25:24 26:14,22 37:6 41:16 71:14 72:6 company 58:22 66:24 67:1 77:24 88:8 92:18 company's 92:22 compelled 28:2 complement 16:22 complete 7:20 19:21 31:16 37:11 47:10 69:12 89:16 103:7 completed 37:8 completely 10:20 20:19 24:23 complex 97:7,8 comply 15:7 complying 100:11 comprehensive 20:3 26:4,18 27:7,9,22 concentrated 63:6 concentrations 22:12 58:11 concern 70:21 76:21 96:1 99:20</p>
---	---	--	---	--

<p>concerned 9:21 33:17 43:22 70:7 93:1 concerns 34:13 37:1,11 87:9 concise 71:19 concludes 101:23 102:5 conclusion 75:21 Congratulations 19:9 congregation 30:7 30:10 connected 44:11 connection 42:5 43:3 74:3 connections 37:18 consequences 56:19 74:16 91:5 conservation 76:18 consider 4:16 12:6 12:16 20:7 82:24 84:3 consideration 28:8 38:12 considered 19:16 34:1 69:11,16 consistent 50:17 constitutes 27:23 construction 14:16,18 36:17 consulted 32:4 contact 34:9 41:18 73:12,22 77:21 96:8 contain 25:8 51:16 93:19 contained 80:24 containment 6:22 80:21 81:5 contains 58:10 68:2</p>	<p>contaminants 54:13 62:16,22 contaminate 13:22 22:17 contaminated 62:8 66:6 71:22 78:5 contaminates 14:6 54:7 57:7 66:1 82:10 contaminating 24:19 68:22 71:2 contamination 27:8 42:15 69:1 94:6 contiguous 88:7 contingency 37:9 continuation 70:10 continue 8:11 18:22 22:17 26:10 36:23 43:6 62:9 80:20 83:2,4,16 90:8 continued 36:10 52:13 89:5 continuing 27:7 contribute 52:16 contributes 71:9 control 1:1,9 2:2 11:14 19:13 21:16 23:11 25:24 42:13 47:1 60:21 75:2 75:22 103:1 convenient 70:6 conversation 10:17 Cook 103:12 coordinator 9:19 45:16 corporate 93:23 correct 61:15</p>	<p>103:7 corrective 14:9 42:2 corridor 46:16 cost 25:13 37:3,9 88:20 costs 10:16 26:7 countries 57:10 country 21:24 23:4 31:2 57:2 57:13 82:15 County 21:15 22:7 30:8 36:21 40:17 43:24 46:14,23 67:21 67:23 68:16 71:10 98:9 103:12 couple 80:11 course 34:3 80:9 Court 17:5 cover 6:21 63:12 63:13 79:17 100:3 covered 16:21 COVID 36:11 83:23 84:8 COVID-19 56:8 cow 61:21 crack 54:22 cracks 69:9 created 32:15 81:4 creates 96:22 creating 12:12 creation 11:11 Creek 92:16 creeks 94:14 crisis 43:9 93:9 critical 38:12 46:8 77:14 crop 56:14 Crouse 28:19,20 29:6,7 35:11,12</p>	<p>101:14,14 crucial 55:7,16 71:15 crystal 42:24 CSR 1:9 103:18 103:21 Cumberland/C... 40:17 cumulative 12:5 12:17 31:23 current 15:9 51:21 92:22 96:15 currently 49:22 50:7 64:20 70:19 79:12 85:3 96:12 curriculum 45:15 cut 25:16 26:4 54:11 92:19 96:18,19 Czerwonka 40:7,9 40:10,13</p> <hr/> <p style="text-align: center;">D</p> <p>D-I-T-T-E-M-... 53:6 D3987-85 62:17 daily 85:5 Daley's 13:5 Dam 13:11 damage 11:6 17:17 18:16 25:10 41:12 56:18 91:9 damaged 61:21 Dan 66:16 danger 52:20 94:22 dangerous 3:22 4:10 16:19 33:16 51:19 52:4,15,21 77:7 77:8 82:7</p>	<p>dangers 69:22 Danville 7:2 46:20 66:24 dark 79:17 80:16 dark-skinned 82:5,19 date 52:9 daughter 44:23 daughters 10:11 25:1 Dave 12:24 David 12:21 15:16 15:16 21:4,4 35:10,10 65:8 101:12,13 Davis 51:6,7,7 53:4 day 1:10 40:20 67:6 94:18 103:12 days 49:14,22 94:17 97:8 deadly 56:14 deal 32:13 83:16 dealing 83:22 death 18:17 83:23 debate 80:21 decades 61:11 62:9 68:19 decided 93:10 99:9 decision 79:19 decision-making 48:16 49:8,12 69:19 decisions 70:24 DeClue 60:15,16 60:19,20 deemed 93:11 deep 92:20 Deer 61:6 defects 41:13,14 68:6 deficits 91:8</p>
--	--	--	---	--

<p>defining 50:12 definition 38:23 38:24 degree 50:11,15 50:21 delays 91:8 delightful 7:3 delivery 25:14 demise 61:18 democratic 38:20 demonstrate 46:6 denial 50:9 denied 94:23 denies 75:17 denomination 10:3 deny 92:24 93:2,3 94:1 Department 19:11 departments 83:17 DePaul 70:17 depend 89:6 depending 82:9 deplorable 15:9 deposits 62:4 Deputy 13:2 Des 77:1 deserve 7:22 design 14:15 45:18 designate 81:2 designated 2:14 18:1 92:21 96:16 Designating 94:10 designed 7:19 19:3 desperate 36:20 destroying 23:5 detailed 51:3 determine 22:19 75:19</p>	<p>determined 50:20 52:8 determines 50:10 63:4 determining 88:16 detriment 83:1 devastated 93:23 devastating 71:4 74:16 devastation 18:19 developed 10:12 developer 77:13 developing 18:16 57:1,9 Development 81:16 developmental 11:5 25:10 71:7 91:8 dewater 63:12 dialing 34:20 died 16:13,21 77:23 different 10:4 78:24 difficult 8:2 57:6 99:1 dilemma 59:7,11 dire 91:5 direct 25:21 44:10 direction 79:1 103:10 directions 6:19 directly 10:19 22:20 34:13 43:22 45:2 75:18 79:13 80:17 director 67:20 81:15 dirt 6:23 disabilities 41:13 disaster 66:3,8,9</p>	<p>disasters 65:3 88:21 disastrous 22:23 54:17 discharge 14:12 discharges 82:23 discover 45:23 discretion 50:17 discuss 84:6 discussing 84:10 disease 16:11 68:5 68:6 91:10 diseases 52:17 dismiss 10:20 disorders 71:7 disparate 36:20 disposal 1:4 2:8 8:7 57:16 61:1 61:24 68:13 dispose 58:8 62:13 disposing 18:9 disproportionat... 23:6 25:16 55:12 disputes 59:1 disregard 56:24 57:15 disrespectful 84:5 distance 18:11 distributed 82:8 district 40:19 45:16 65:2,4 Dittemore 40:6,7 53:5 101:18,19 diverse 92:6 diversity 59:12 divine 30:15 docket 2:9 documentation 75:4,12 documented 89:15 documents 32:4</p>	<p>49:7,12 70:3,22 72:7 97:15 100:9 doing 38:8 39:18 58:15 59:15 77:19 80:19 99:6 dollar 66:22 dollars 67:1 dominated 61:11 Donna 15:21 doubt 13:24 downstream 26:6 45:2 46:19 66:17 drafted 73:17 drain 69:8 draw 96:20 drawer 6:13 drink 32:15 91:13 drinking 12:10 22:3 25:22 26:11 28:6 46:12 54:1,8,19 55:1 66:14 68:22 73:19 77:10 78:12 93:22 drive 40:21 dry 19:4 20:9 27:16 55:3,5 58:18 due 58:20,21 69:9 83:13 85:3 93:6 94:16 dumbstruck 58:7 dump 41:2 58:9 66:11,23 98:16 dumped 41:8 66:16 dumping 18:5 44:4 82:19 dumps 8:8 11:15 23:16 24:17</p>	<p>26:16 31:20 51:22 54:12,14 54:16 69:3,14 71:24 99:22 100:5 dust 6:15 11:20 20:6 23:20 31:22 52:15 55:10 75:2 77:20 99:3 Dynegy 3:21,21 4:2 18:4,9 87:14 92:17 99:19</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>E-N-G-L-U-N-D 59:23 eagle 92:9 earlier 35:3 65:12 early 17:6 18:17 Earth 19:5 40:23 41:15 43:7 54:1 easily 70:5 East 1:10 81:18 81:20 82:17 92:4,5,8 easy 57:8 eco-justice 95:15 economic 46:14 56:10 economically 25:13 economy 46:23 ecosystem 46:22 ecosystems 93:21 ED 99:19 edge 87:18 education 17:7 educator 45:12 Edwards 33:14,15 33:24 34:4 36:16 37:14 99:19 Edwardsville</p>
---	--	---	---	--

<p>76:15,16 92:3 effect 71:5 effective 20:5 effects 22:15 23:20 25:11 26:5 32:2 54:18 55:11 56:11 78:10 83:6 91:3 effluent 63:6 effort 65:1 efforts 26:23 64:8 71:18 eight 10:7 Eileen 17:3,4 either 56:12 89:11 EJ 11:22 elected 72:6 elements 49:3 elevation 41:21 Eliana 21:10,14 eliminate 42:9 63:13 Elizabeth 24:8,14 Ella 28:16,16 29:5 29:6 35:10,11 101:13,13 Ellen 60:15,20 emergency 74:24 empathy 59:1 emphasize 46:8 employment 83:18 enact 22:18 encourage 4:15 38:20 encouraging 58:4 endangering 18:8 ended 65:15 66:10 endless 59:1 endure 22:20 energy 6:20 8:3 39:1 51:10 71:18 86:13,16 enforceable 68:12</p>	<p>enforced 13:18 31:9 enforcement 8:6 75:14,20 engage 12:7 55:17 engineer 95:13 engineering 56:24 57:15,23 58:23 65:9 Englebretsen 3:2 3:2,5,7,11,12 4:20 Englund 59:20 60:4,5 101:20,21 enhances 62:13 enjoy 7:11 17:24 ensure 20:13,19 26:9 28:5 33:20 42:3 47:4 48:14 54:23 55:8,8 61:13 71:18 74:2 75:23 78:8 84:4 97:9,12 99:24 100:5,9 Ensuring 23:13 enter 26:10 entire 16:6 31:2 80:17 entitled 1:8 2:6 entrusted 32:16 environment 9:24 13:9 17:13 20:20 23:5 26:2 28:1,7 41:3 64:17 68:15 69:23 80:10 88:15 environmental 9:20 10:19 11:23 12:2,3 13:1 14:3 15:10 19:11 21:19 23:12 30:24 31:24 34:6</p>	<p>38:23 39:2 48:7 48:20 55:15 56:10 64:5 68:10 69:17 71:16 72:24 82:16 84:16 95:20 98:18 100:6 EPA 13:9 20:15 33:18 39:2 55:16 59:14 60:21 63:15 64:7 75:9,13 81:2 82:17 88:24 89:2,7,7 89:19 96:2 EPA's 12:2 33:21 epitomizes 73:11 equal 48:6,17 72:24 102:4 equilibrium 63:5 equitable 82:2 erosion 46:1 87:22 erosional 73:9 escalating 93:9 escape 6:15 18:19 especially 14:1 20:21 30:18 36:11 58:10 77:4 essential 36:24 37:12,19 49:13 69:21 72:2 essentially 13:3 86:1 establishing 48:17 et 8:8 63:23 ethical 59:10 evaluative 59:10 evasive 57:9 evening 2:2,16 24:14 29:22 36:7 48:5,9 79:5 81:13 98:7</p>	<p>99:16 100:15 event 45:9 eventually 18:8 ever-changing 18:11 ever-looming 45:7 everybody 100:22 eves 80:17 evidence 13:13 exacerbated 96:14 exact 57:6 exactly 65:9 example 38:1,1 examples 46:5 58:3 exceedingly 27:6 Excellence 82:1 Excess 63:19 exclude 84:7 exclusion 75:10 75:16 excuse 30:1 39:13 Executive 81:15 existing 8:7 13:22 14:14 51:21,24 exists 50:11,21 63:5 74:19 expand 38:22 39:1 expanded 70:2 expect 46:24 expectation 32:8 expected 57:9,13 expense 88:22 experience 30:20 49:1 86:8 experiencing 46:1 experts 19:2 65:7 explanation 38:15 explicit 27:9,21 explicitly 33:22 42:10,18 89:22 exploring 45:24 exposed 18:14</p>	<p>31:17 42:11,16 42:21,23 47:10 62:24 73:9 87:18 exposing 62:15 exposure 11:20 27:16 64:2 82:9 express 70:20 99:20 expressed 89:1 extensions 89:21 extent 42:9 extreme 44:13 extremely 60:22 eyes 80:2,12</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>F 71:11 F-A-L-L-A-W 28:23 facilitate 69:19 facilities 76:24 facility 18:5 facing 80:18 fact 96:15 factor 75:1 factors 83:5 failing 59:2 failures 13:11 58:17 fair 39:4 55:14 84:16 fairly 79:11 faith 9:19,21 10:21 30:9 32:14 70:19 Fallow 28:23 29:8 29:9 35:13,13 101:15,15 fallout 85:4 families 30:10 64:6 84:12 family 10:5 16:7 45:11 65:17</p>
---	---	---	--	---

far 36:20 98:20 99:19	firm 48:20	following 42:21 43:5 56:23 100:1	43:7	4:18 25:3 34:12
father 16:9	firmer 31:14	food 25:23 84:9	fugitive 75:2	Geneva 66:22,23
fathers 80:6	firmly 26:8	footprint 81:18	full 37:8 38:15 97:14,17	Geological 45:18
feasible 42:9	first 3:2 8:21 13:19 20:3 21:2	forces 73:9	fully 27:18 31:22 32:1 34:9 39:14	geology 45:19
federal 15:10 19:24 32:5 37:5 43:8 60:24 68:9 86:9 89:3 100:13	21:20 28:1 32:4 34:10 72:21 73:15 95:18 96:7	foregoing 103:6	function 33:6 59:10 65:19	George 28:19,19 29:6,7 35:11,11 83:23 101:13,14
federally 17:24	Firstly 96:3	forever 7:19 15:4 64:5 66:18	fund 37:9	getting 41:24 55:2
feedback 8:11 49:17	Fish 17:23 84:3,10 92:10	Fork 3:17 4:6,9,15 5:13 7:2 17:21 18:12 44:1,6,10 44:14,22 45:20 46:6 73:9 74:7 87:12 95:16	fundamental 75:5	give 72:8
feeling 32:11 59:9 59:11	fisheries 84:2	Fork's 74:14	funded 25:20	given 39:12,15 93:7 97:17
feels 98:24	fisherman 44:17	form 86:12	funds 20:16	gives 102:4
feet 13:24 41:21 92:15,16 97:2	fishing 63:23	formal 45:12	furnaces 79:24	giving 49:13 50:16 71:2 82:20
felt 25:12	five 13:24 16:7 30:19 41:20 73:7 77:10 97:2 100:7	fortunate 3:15	further 24:19 39:21 42:14	global 70:18
field 45:13,19,22 46:4	fledgling 92:12	forum 38:5,13	future 4:1,18 18:18 24:24 26:12 27:12 30:18 31:10 34:11 37:4 43:10,11 47:5 59:16 61:12,14 69:1	Gloria 28:21,22 29:7,7 35:12,12 101:14,14
fill 11:15 16:17 54:12 69:10,15 84:2 100:4	float 17:23,24 46:19	forward 39:21 53:15,17 56:1 59:24 72:13 86:15	<hr/> G <hr/>	go 3:10 6:9 8:20 9:6 83:24 84:15
filling 84:2	flooding 37:23 77:5 93:3,4	fossil 23:1 41:1,16 43:7	G-R-A-Y 95:3	God 84:5
fills 36:17 37:20 54:15 71:24	floodplain 3:23 37:18 44:6,18 45:14 46:22 74:14 88:7 93:8 94:7 96:18,21	found 7:4 54:6 65:1	G6 50:4	going 7:3 8:14,19 39:11 58:2 60:11 65:18 72:5 84:1,14 85:23 86:14 88:1 100:17
final 12:1 89:7 100:12	floodplains 13:20 73:12,23 74:11 93:10 94:10,19 96:17 97:3	four 9:6,9 16:12 20:13 73:13 77:22 92:20 100:6	gabions 73:8 87:21	gold 56:17
finally 32:5 59:4 74:21 99:7 100:12	floodwaters 73:24	Four-and-a-half 67:21	Gage 29:20,21 35:1,1,15,16 101:18,18	good 2:1 6:24 13:15 15:6 24:13 26:1 29:22 32:14 33:11 36:7 48:5 65:9 78:6 79:5 80:23 85:22 86:7,8 87:5 90:3 99:16 100:14
finances 37:10	flow 93:20	fragile 93:21	gain 93:24	government 37:5 43:8 86:9 89:4
financial 10:16 15:1 37:2,7 74:17	Flowers 70:15,16 70:17	framework 88:14	Galesburg 85:18	government's 68:9
financially 26:23	Floyd 83:23	frequency 70:9	garden 84:13	governments 37:5 grade 71:11
find 82:2	fly 20:6 79:13	frequent 14:20 93:3	gear 39:15	
fine 38:1	focus 57:10	fresh 66:14 84:3	general 20:5	
fingerprints 6:15	follow 18:9 25:3 67:23	freshwater 54:1	Generating 21:23 22:6	
fingers 37:14		friends 38:17 45:11	generation 12:11 22:20 68:18	
fire 3:21 61:10 62:2 98:10		fuel 23:1 41:1,16	generation's 22:21	
fired 10:10			generations 4:1	

graders 45:22	group 34:6 54:1	91:1	heard 17:18 73:15	86:12
Grafton 93:5	87:7	harming 23:6	75:9 94:13	heeding 19:13
Grand 1:9	group's 87:11	68:2	hearing 1:8 2:1,3	Heggy 28:22,22
grandchildren 8:1	grow 18:19 85:2	harms 39:14	2:5,13,16 3:6,9	29:7,8 35:12,12
44:23 91:3	grown 65:13	Harrisburg 10:6	4:19 5:10,14,17	101:14,15
Granite 79:12	growth 11:7 17:17	10:13	5:21,24 6:8 8:10	held 1:7 2:12
grassroots 81:17	56:10 57:10	Hartung 53:17,18	8:13,18 9:16	25:24 26:19,22
gravel 45:24	guarantee 78:7	53:21,22	12:20 15:14	38:11 70:5 78:2
Gray 95:2,3,8	guaranteed 7:23	hazard 64:6 74:23	16:2 17:1 20:24	Hello 24:9 33:6
100:24 101:1	guidance 30:8	78:3 96:22	21:12 23:24	43:16,19 67:16
great 6:9 9:16		hazardous 61:16	24:10 28:9	70:16 79:5
10:16 13:5	H	81:3 96:9	29:24 30:3	help 10:22 23:11
53:19 66:12	H-A-B-E-R-K-...	hazards 82:21	32:17,22 33:9	43:10 64:7 84:3
87:5 88:13	9:13	heading 37:14	34:14 36:1,4	helped 80:9
94:20	H-E-G-G-Y 28:22	health 8:16 9:24	37:24 38:10	helpful 68:15
greater 46:7	H-R-I-L-J-A-C	11:12 13:8	39:21,24 40:11	helping 80:6
greatly 102:2	15:23	17:17 20:4 22:8	43:14,18 47:16	hero 67:5
greed 41:1 58:22	Haberkorn 9:12	22:15,16,21 23:6	47:23 48:2 50:3	Hi 21:11 64:12
green 30:6,8	9:13 21:3,3 35:9	23:19 24:17	50:6,9,14,20	87:1 90:21
81:17 92:4	35:10 101:12,12	25:9,20 26:5	51:4 53:3,19	91:24 95:9,12
ground 62:8	habitat 93:22	27:3 33:13 46:9	55:24 59:18	high 21:14 25:13
82:19 83:7 96:4	Halbert 29:17,18	51:19 52:15,24	60:17 64:9,13	69:9 93:6
groundwater 7:16	34:17,17 35:13	54:10,17,24 55:6	67:9,17 70:12	high-quality
11:4,10 13:22	35:13 101:15,16	55:8,10 61:1,18	72:10 76:3,10	54:22
14:1,6 18:7,23	Half 37:12	61:22 64:5 68:2	78:14,22 79:3	high-risk 4:14
20:10,11,12 22:2	hand 26:8 83:10	69:23 70:18,21	81:8 85:6,13	higher 22:13
22:11 24:20	90:5	75:2 76:1 91:10	86:17 87:3,14	58:11
31:12 33:17	handled 27:20	96:10	90:13,15,19	highest 14:16
37:19,22 41:10	handling 97:6	healthcare 25:14	91:17,22 92:2	41:21
41:21,24 42:6,12	hands 26:14	25:18 26:7	95:1,10 97:19,20	highly 13:24
43:4 44:8 46:11	Hanging 6:16	65:11,14	98:1,4 99:11,14	61:16
47:8 52:2,6,22	hangs 87:14	healthier 10:23	100:16	hikers 44:16
54:4,5 56:16	Hansen 53:9,14	healthy 61:14	hearings 2:11	Hills 30:7
57:5,7 58:16	60:3,3 101:19,19	63:11	38:3 40:17	Hillsboro 61:6
63:8,10 68:22	happen 89:18	hear 3:7 6:7,9 8:9	49:14 55:19	historic 83:20
69:8,11 70:10	happened 74:15	21:11 29:23	70:5	85:3
71:20 73:18,23	77:6 88:3	32:21 33:8 36:3	heart 11:5 36:8	historical 68:20
74:4,6 77:9 78:4	happening 22:23	38:14,15,16	63:20 68:5 91:9	historically 83:9
87:20 89:21,23	31:6	47:22 48:1	99:17	history 65:10
90:4,7,9 94:9,16	happens 63:3	60:16 64:12	Heath 95:8,9,12	hit 24:4,13 79:1
96:8,14,17 97:2	happy 90:6	65:11 76:8	95:12	hold 15:8 24:18
98:16	harm 11:5 63:20	78:21 85:12	heavy 22:9 41:11	50:8,20 78:4
groundwater's	82:10	91:21 98:5	54:18 58:13	87:23
69:4	harmful 23:4 71:3	99:15	69:7 83:10	holding 71:13

<p>87:23 90:13 92:1 home 21:21 40:24 64:22 66:2,3 67:4,4,5 79:23 80:1 92:6,13 homes 66:22 hometown 79:20 hook 88:19 hope 16:22 36:22 38:23 39:6,22 55:22 87:1,16 88:13 89:1 hopefully 61:8,12 100:21 Hopkins 29:18,18 34:22,23 35:14 35:14 101:16,16 Horton 1:8 2:1,4 3:6,9 4:19 5:10 5:14,17,21,24 6:8 8:10,13,18 9:16 12:20 15:14 16:2 17:1 20:24 21:12 23:24 24:10 28:9 29:24 30:3 32:17,22 33:9 34:14 36:1,4 39:24 40:11 43:14,18 47:16 47:23 48:2 51:4 53:3,19 55:24 59:18 60:17 64:9,13 67:9,17 70:12 72:10 76:3,10 78:14,22 79:3 81:8 85:6 85:13 86:17 87:3 90:15,19 91:17,22 95:1,10 97:20 98:1,4 99:11,14 100:16 Hospital 16:10</p>	<p>host 41:11 hour 1:10 house 38:5 64:22 79:22 80:18 88:11 housed 93:15 Hriljac 15:21,24 16:4 huge 87:14 88:2 human 9:24 13:8 24:17 51:19 54:9 82:11,11 91:5,14 96:9 hundred 79:22 86:7 husband 10:2 44:17 64:20 79:19 hydraulic 42:4 43:3 74:3 hydrologically 44:11</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>idea 88:19 identify 11:23 12:3 31:24 80:6 IDOT 38:3 IEPA 11:14 36:10 93:9 IEPA's 11:22 ignore 25:6 ignored 98:20 ill 1:6 65:12 Illinoisans 10:1 91:15 Illinois 1:1,8,9,10 2:7 3:13,18 9:18 10:6,8 13:9 15:4 15:11 17:6,16 18:24,24 19:3,6 19:12,24 20:15 20:18,22,23 21:15,16,18,22</p>	<p>23:3,10 24:15 25:16 26:6,8 27:1,1,17,24 31:2 33:13,18,21 36:9,19 40:18,22 41:18 42:24 43:10,24 45:17 46:24 47:2,12 51:10 52:10,19 53:23 54:10 55:16 59:14 60:21 61:19,20 62:1 63:15 64:7 64:20,21,21 66:24 67:4 68:7 68:17,24 71:17 73:1,18 77:1 81:2,24 82:16 85:18,19 88:24 90:23 92:3 94:14,21 95:14 96:1,4 99:18,18 103:1,12,20 Illinois' 7:10 73:6 illness 83:13 image 30:15 immediate 80:10 impact 25:11 27:19 55:12 impacted 11:24 31:18 36:15 39:5 impacting 22:8,16 22:20 impacts 10:19 12:5,17 22:23 31:24 50:24 91:7 impassable 93:6 impermissible 42:12 implement 13:10 45:18 88:23 91:11</p>	<p>implementation 48:21 importance 36:13 39:9 46:6 important 17:8 37:3 38:19 60:22 64:16,16 81:13 91:11 94:11 imported 62:1 imposition 14:9 impossible 8:4 49:11 75:19 impoundment 13:11 41:20,23 43:4 54:14 74:19 95:16 impoundments 1:6 2:9 11:16 13:11 17:15 18:10 24:16 33:19 42:20 51:22 54:11,20 57:20 61:23 62:7,9 68:20 69:13,18 71:20 71:21 73:6,23 74:9,10,13 77:4 77:11,15 94:14 96:13 100:4 inactive 69:3 inadequate 18:6 97:9 include 31:19 39:2 50:6 51:21 61:23 70:2 71:23 93:10 98:16 included 48:13 54:16 81:5 includes 61:7 66:4 including 11:12 17:22 19:16 22:15 25:9</p>	<p>26:16 51:21 55:18 61:10 68:3 88:16 92:9 97:15 100:13 income 23:7 46:14 84:18 incoming 21:14 incorporate 89:19 incorporated 45:19 incorporating 38:1 increased 55:9 incredibly 97:7 incremental 32:2 indefinitely 87:23 independent 99:5 Indiana 46:21 indicative 85:4 individual 2:18 individuals 9:6 21:2,7,9 29:12 35:3 48:15 60:2 60:9 100:18,20 industrial 82:15 industries 23:22 65:23 industry 41:2 43:7 55:17 61:9 61:18 86:4 ineffective 58:22 inequitably 82:8 inequities 83:17 inevitable 93:16 infiltration 63:14 information 49:7 49:11 50:1 82:20 informed 99:7 ingest 84:4 inherit 18:20 Initiative 13:6 initiatives 76:19 inject 83:5</p>
---	--	---	---	--

<p>injustice 30:16 31:1 inner 17:24 input 19:1,16 40:16 49:24 72:3,9 73:3 75:18,24 88:24 inspected 14:17 14:20 inspections 70:8 inspiration 30:9 installed 73:8 instructed 39:14 insufficiently 27:20 insurance 10:16 integrity 69:4 intended 75:4 intent 50:18 interest 41:4 50:11,16,21 interested 48:15 49:5,19 interesting 65:11 interests 99:6 interfaith 9:20 intermittent 42:4 43:2 74:2 internalized 32:11 interning 70:19 interpretation 12:8 interpreters 55:19 intimately 44:18 introduce 85:17 inundate 44:14 invalid 61:15 investment 52:19 involve 68:14 involved 84:19 85:20 involvement 48:22 84:17 Iola 10:6</p>	<p>IPCB 40:15 iron 79:18 irresponsible 57:12 66:15 issuance 50:7,9 issue 4:16 23:9 27:19 28:2 81:13 96:14 issues 10:12 25:10 25:20 44:7 51:10 81:23 items 95:19</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>Jadernak 64:11 64:12,15 James 28:23,23 29:8,8 35:12,13 101:15,15 Jan 5:12 Jen 29:17,17 34:17,17 35:13 35:13 101:15,16 Jenica 29:18,18 34:22,23 35:14 35:14 101:16,16 Jessica 29:19,19 34:23,24 35:14 35:15 101:17,17 Jewish 30:12 job 4:8 81:21 joblessness 83:13 Jobs 39:1 Joe 33:12 Joey 29:20,20 35:1,1,15,15 101:17,18 Johannesburg 56:21 John 29:21 30:6 join 46:3 Joseph 32:18,19 joy 45:24 Joyce 35:19 36:2</p>	<p>36:4,8 joys 45:10 Julie 99:12,17 July 2:13 June 95:21 junior 21:14 jurisdiction 75:14 jurisdictions 75:10 justice 9:20 11:23 12:2,3 14:3 21:19 23:9,12 30:15 31:24 38:23 39:2 48:6 48:18 55:15 69:17 71:16 72:24 84:16 98:18 100:6 justify 75:9</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Kaskaskia 79:11 Kathryn 40:6,6 53:4,5 101:18,18 Katz-Mariani 29:21,22 30:2,5 30:6 kayak 44:21 kayaked 87:15 kayaker 76:18 kayaking 44:24 kayaks 45:1 keep 7:23 8:14 15:11 27:10 99:7 kept 6:13 34:2 83:3 key 11:12 20:1 32:3 49:3,7 Kickapoo 3:16 7:6 45:20 kicked 80:7 kidney 52:17 68:5 kids/students 84:9</p>	<p>kill 82:11 kilometers 56:21 kind 57:8 82:3 85:22 Kitzmiller 4:22,23 5:1 8:21 9:2 35:5 101:9,9 knew 66:9 80:3 know 2:22,23 25:6 31:4 35:1 36:18 37:17 38:18 44:17 65:5,21 66:23 67:3 69:22 74:15 80:5 82:5 84:11 86:1,3,10,13 91:6 94:16 97:5 98:24 99:5 knowledge 26:7 58:20,21 known 33:16 51:16,18 63:20 73:17 74:5 knows 56:18 84:5 Krista 9:12,12 21:3,3 35:9,9 Kristin 43:15,16 43:21 Krost 9:14,15,17 9:18</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>La 16:10 laboratory 63:3 lack 25:18 27:6 58:20,21 59:5 lacking 61:2 Lake 16:19 21:15 22:4,7 30:7 36:19,21 63:22 66:12,22,23 67:21,23 68:16 68:17 71:10 77:2 98:9,11,12</p>	<p>lakes 7:17 13:5 24:20 40:22 52:2,22 54:1 66:13 73:17 84:3 Lan 47:21 48:5 land 4:4 12:18 48:19 51:13 52:24 58:1,3 88:7 landfill 22:2,5,12 39:12 57:24 landfills 17:16 23:16 24:17 26:16 31:20 36:17 37:21,21 39:11,16 51:22 52:3 55:4,5 57:21 58:19 69:14 lands 26:20 language 42:6 50:19 55:15 large 16:17 89:12 largest 22:6 46:13 53:24 66:13 82:14 LaRue 24:8,9,11 24:12,14 lasting 7:15 Lastly 55:11 Laszlo 32:19,19 32:19,19,20,22 33:2,6,8,11,12 Latino 82:6 Latinx 23:1 30:23 laughingly 97:8 Laura 51:5,7 53:9 53:14 60:3,3 101:19,19 Laurie 53:15,16 60:3,4 101:19,20 law 13:11 19:8 20:18 50:18</p>
---	--	--	--	---

78:6 88:22 95:20 Lawrence 13:5 laws 51:20 90:6 layoffs 83:13 Le 63:4 leach 11:3 42:23 69:10 77:9 94:16 leachate 7:10 18:3 87:18 leached 22:11 57:4 leaches 7:17 54:18 leaching 6:23 7:7 17:21 33:16,20 54:14 62:21 94:10 96:9,18 lead 18:17 30:6 51:17 71:3 78:11 leader 47:12 leaders 19:2 71:17 League 51:9,11,23 52:10,18 67:20 67:22 69:19 70:7 76:15 Leah 53:17,21 leak 54:22 leakage 52:21 leaked 69:9 leaking 3:24 18:3 30:21 63:17 73:6 leaks 82:23 learn 32:8 57:14 58:4 59:13 learned 11:1 17:20 learning 6:12 41:12 leave 34:11 39:6 82:22 leaves 11:24	leaving 11:17 left 8:1 32:12 37:19,21 88:21 93:4 legacy 34:11 legal 59:1 legislature 19:3 64:23 legitimacy 49:13 Lenox 17:5 Leon 56:4,5 Let's 34:10 letting 2:22 47:14 level 22:13,19 25:12 68:11 levels 11:3 54:8 63:10 69:22 93:19 96:17 Levy 86:24 87:1,4 87:5,6 Liability 92:18 Libertyville 53:23 53:24 Liebenberg 56:5,5 56:6 life 11:8 16:6 36:14 53:23 84:23 life-long 43:23 lifelong 45:12 lifestyle 25:21 lifting 80:11 lights 6:14,18 likelihood 50:22 likewise 94:15 limit 2:20 28:14 29:16 67:14 85:14 89:11 95:6,24 101:7 limited 63:2 81:6 Linda 59:19,23,24 60:1,4,4,5,5 101:20,20,21,21 line 4:22,23 5:4	6:3 21:10 24:3 33:3 35:4 53:5 53:14 70:14 72:12 78:16 85:8 86:20 97:22 100:18,24 lined 18:10 54:21 55:4,5 liner 54:21 liners 54:22 69:9 lining 41:5 linings 7:19 liquids 63:14 Lisa 60:11,14 72:11,12 101:21 101:22 list 93:10 97:4 98:22 listening 64:18 67:8 Litchfield 61:4 liter 63:19 lithium 11:2 22:10 58:14 68:4 71:3 little 6:22 8:11 21:6 29:10 33:4 35:2,17 41:3 49:24 53:8 57:11 60:6 live 3:12,15 17:5 21:16 30:19 33:13 41:7 43:24 53:24 61:4 76:20 79:12,20 80:3 85:18 92:3 98:9 98:13 99:18 lived 10:5,7,8 16:5 16:21 85:19 lives 16:16 32:16 56:20 living 23:12 64:4 83:7 85:1	local 3:14 4:6 37:4 46:12 96:13 97:2 locally 68:23 located 13:20 16:18 44:5 48:7 73:1 81:18 98:11 location 4:9 13:21 14:13 42:17 77:19 94:11 locations 13:23 52:1 70:6 74:5 93:11 Loftus 78:16,16 78:21,24 79:4,6 logging 33:5 long 15:3 69:12 70:14,14 72:13 72:13 74:19 89:11,16 98:20 101:22,22 long-term 25:9 33:20 80:15 87:24 88:15 91:4 long-time 3:13 longer 7:21,21 46:3 47:10 82:7 look 39:21 86:2 89:9 looked 6:14 7:5 looking 79:24 loopholes 27:6 lose 65:18 84:23 lots 4:2 Louis 81:18,20 82:17 Louise 91:19 love 10:22 30:13 79:23 80:1 lover 76:17 low 11:6 23:6 lowering 19:20	luckily 58:2 Luner 99:12,13 99:16,17 lung 68:5 71:10 91:9 lurking 17:14 luxuries 91:14 <hr/> M <hr/> M-C-F-A-D-D-... 6:2 magical 59:10 magnificent 3:16 Mahomet 37:16 major 33:24 44:7 48:22 93:20 making 6:17 20:20 49:4,7 86:2 maladaptive 83:14 management 51:14 58:22 maneuvers 57:9 manner 61:17 marginalized 55:12 Mariani 30:1 mark 5:2 53:8 60:7 Mary 60:15,20 64:10,19 67:15 67:19 massive 44:13 master 17:19 material 63:6,7 79:18 87:20 materials 12:9 55:20 70:3 97:11,16,18 matter 1:3 2:11 matters 87:12 Matthews 67:15 67:16,19,19
---	--	---	---	---

Mattoon 10:7	met 42:18 90:9	68:23	36:21	30:6 33:12
maximizing 41:4	metals 22:9,14	mind 27:23	month 44:21	43:21 48:5
maximum 42:9	25:8 41:11	mindedness 59:12	months 16:12	53:21 58:14
Mayor 13:5	54:18 58:13	mine 57:24 61:5,6	93:5	60:19 64:19
McFadden 6:1,1	68:3 69:8,10	62:3	moral 4:16	70:16 72:23
9:4,4 35:8,8	method 62:17	mines 39:17 56:17	mother 6:16 9:21	76:13 79:5
101:10,10	Methodist 10:2	62:12,12,14	10:20 24:15	90:21 92:2 98:7
mean 66:2	Metro 92:4,5	minimal 49:14	Mount 57:23	99:16
meandered 45:6	Michigan 13:12	minimize 63:13	move 6:2 10:3	names 9:10
meandering 87:24	16:19 22:4	mining 61:10,20	15:21 35:18	Nancy 70:13,14
meaningful 14:20	36:19 66:12	minor 70:18	42:15 53:8 74:1	72:13,13 101:22
48:12,13,15 49:2	68:17 77:2	minority 39:4	79:20 86:4,18	101:22
49:10,17,19,23	91:12 98:11,12	minutes 2:22 9:9	moved 10:12 16:7	narrow-scoped
75:24 84:17	microphone 8:23	28:15 72:15	88:6,8,17	56:13
96:6 97:13 99:4	15:18 24:4	95:7	moving 4:21,22	nation 47:12
meaningfully	28:12 29:2,13	miserably 3:24	6:4 9:2,3,5	84:18
84:19	32:23 34:19	mispronouncing	15:15 17:3 24:1	national 3:17 7:10
means 7:24 23:15	35:21 40:3	40:8	24:7 28:10,21,22	73:6
meant 6:18	47:19 53:11	mispronunciation	29:6,7,8,20,21	natural 3:20,23
measured 41:22	56:3 59:21	15:22	32:18 34:22,23	4:5 15:12 19:11
measures 55:10	60:13 67:12	missed 8:21 29:5	34:24 40:1,7	40:23 46:15
68:10 80:4	72:19 78:18	60:2,10	47:17 51:5 53:4	96:23
mechanism 8:6	85:9 86:22 95:5	Mississippi 76:20	53:15,17 56:1	naturalist 17:19
medical 61:7	101:4	76:23 77:6 92:6	59:19,24 60:3,15	naturalists 44:17
medication 10:14	middle 3:16 4:6,9	92:15	64:10 67:10	nature 32:12 63:4
meet 90:4	4:15 5:13 7:2	mixes 73:20	70:13,14 72:13	76:17
meeting 49:16,21	17:21 18:12	mixing 23:15 74:5	76:4,6 78:15	near 7:2,5 16:16
97:12	44:1,6,10,14,22	model 47:12	81:10 86:20	33:14 34:5 45:1
meetings 12:8	45:20 46:6 56:7	molten 79:18	90:16 91:19	61:4 64:4 65:14
49:13 55:19	73:9 74:7,14	moment 79:14	95:2	83:7 94:12
meets 20:12 70:11	87:12 95:16	money 4:2 20:16	multigenerational	nearby 45:16
member 33:12	midst 30:19	moneymaking	90:12	56:17 82:23
76:15 79:10,11	Midwest 48:23	84:22	Murji 90:17,18,18	98:15 99:7
92:3 98:9 99:17	68:18	monitor 98:23	90:21	nearly 48:24
members 2:17,18	migration 52:4	monitored 14:17	mute 5:18,20	92:19
32:10 72:8 92:7	mile 98:10	14:20,22 52:7	32:20 101:2	necessary 13:24
102:1	miles 3:15 10:9	monitoring 11:10	muted 6:7	55:5
mention 38:4	44:1 66:17	14:22 20:9,11	myriad 92:10	need 7:22 9:23
mercury 18:15	mill 79:24 80:19	31:12,13,23 52:8	myth 83:2	13:15,16 16:20
51:17 56:15	milligrams 63:19	54:4,12 55:9		19:20 24:18
57:4 58:11	million 22:3 66:22	70:8,10 78:5	N	26:18,22 27:5,9
merely 49:18	millions 23:12	90:7,10	name 2:4 3:12	37:6,10 38:22
mess 32:12,15	54:10 61:24	Monroe 103:19	9:17 12:24 17:4	40:2 41:16 43:9
messes 8:4	62:6 66:14	Montgomery	21:13 29:19	51:20 55:14

64:6 68:24 77:19 82:24 83:3 84:9 needed 20:16 needs 4:7 17:9 24:23 26:13 27:2,10,15 78:1 80:24 88:5 89:18 negates 62:24 negative 22:15 55:11 negligence 27:24 negligent 94:2 neighbor 10:22 neighborhoods 39:5 neighbors 30:12 30:14 38:17 neither 10:20 nerve 56:18 nervous 52:17 91:7 nest 59:3 neurological 11:6 17:11 25:11 neurotoxins 78:10 never 10:8 15:5 34:1 41:6,18 73:13 74:20 77:16 new 1:6 2:6 7:5 8:7 13:10 14:15 79:11 news 85:5 niece 16:16 nightly 79:17 non-enforcement 58:24 non-English 12:7 55:18 70:4 non-partisan 51:11 non-profit 48:7	73:1 81:17 non-variable 20:18 normal 83:18 North 1:9 13:12 66:16 note 21:5 29:10 31:3 35:17 53:7 56:2 67:11 72:14 noted 96:7 notes 103:9 notice 6:15 49:22 60:6 97:17 notion 89:9 NRG 98:10,15 NRG's 68:17 number 2:9 44:7 44:9,12 89:21 nurse 24:15 Nya 70:15,16 <hr/> O O'Keefe 97:21,22 97:23 98:3,6,8 Oakwood 17:21 observed 45:5 obsolete 86:14 obvious 86:13 occur 46:17 59:5 occurred 25:5 offer 40:16,23 offering 12:8 73:2 Officer 1:8 2:1,5 2:14 3:6,9 4:19 5:10,14,17,21,24 6:8 8:10,13,18 9:16 12:20 13:4 15:14 16:2 17:1 20:24 21:12 23:24 24:10 28:9 29:24 30:3 32:17,22 33:9 34:14 36:1,4	39:24 40:11 43:14,18 47:16 47:23 48:2 51:4 53:3,19 55:24 59:18 60:17 64:9,13 67:9,17 70:12 72:10 76:3,10 78:14,22 79:3 81:8 85:6 85:13 86:17 87:3 90:15,19 91:17,22 95:1,10 97:20 98:1,4 99:11,14 100:16 official 103:11 officials 72:6 82:16 Oh 33:9 okay 2:1 3:11 5:4 5:8,11,15,21,24 6:2,4 8:12 9:2,3 9:4,5,13 16:4 21:3,5 28:17 29:10,18 34:21 34:23 35:17 40:7,11 48:4 53:7,15,16 59:24 60:1,6,14 72:14 76:6,12 79:3 87:5 95:7 98:1,6 99:13 100:24 101:1 old 6:11 39:17 54:12,15 98:14 100:4 oldest 10:12 21:24 one-year 10:14 ones 60:10 83:8 ongoing 26:19 31:23 44:8 78:4 online 33:15 open 38:5 49:4 57:24 59:12 operated 44:4	operating 13:4 14:15 operation 4:3 14:19 26:17 operator 14:21 15:7 operators 100:11 opinion 49:1 70:24 Oplt 91:19,21,24 92:2 opportunities 70:3 83:18 96:6 opportunity 15:13 16:24 27:18 31:17 34:12 38:14 45:23 47:11 48:8 50:3 50:6 51:2,8 56:7 73:3 76:13 81:12 85:22 94:24 100:8 options 69:24 orange 18:2 order 2:14 32:1 42:18 52:3,23 69:3 91:12 97:12 organ 25:9 organization 9:20 51:12 73:4 organizations 99:5 organizer 90:22 organs 63:21 82:11,11 origin 84:18 ounce 26:3 outcome 94:1 outcomes 63:11 outlined 95:19 outraged 65:24,24 66:15 outreach 9:18	70:2 outside 88:7 outskirts 83:3 overlapping 75:10 overruns 37:9 oversee 20:16 oversight 75:14 92:20 99:4 owned 88:8 92:17 owner 18:4 owners 15:7 48:19 89:20 90:3 100:11 ownership 15:3 <hr/> P P-L-E-S-C-I-A 76:5 p.m 1:10 29:11 34:17 paddle 17:23 Pam 72:23 Pamela 72:21 pandemic 36:12 56:8,9,9 92:11 panel 4:16 park 3:16 7:6 45:20 46:15,20 81:20 84:1 parks 40:22 part 11:18 38:19 38:21 66:12 71:9 75:12 97:16 participating 3:3 5:5 15:17 24:3,6 47:18 53:10,13 67:11 72:18 101:3 participation 48:12 49:2,10,19 69:21 96:6 97:13 particles 80:16
--	--	--	---	---

<p>particular 33:21 particularly 25:2 47:3 52:2 94:11 parties 49:6 Partners 92:18 pass 79:4 passage 88:10 passed 2:22,23 19:8 64:22 78:6 pastor 10:3 pathology 79:9 pathway 47:13 pattern 23:3 30:24 pay 4:3 8:3 20:14 74:21 Pease 85:14 pediatric 10:15 penalties 14:10,13 people 7:11 8:20 15:8,12 17:22 18:2 21:17 22:9 22:16 23:12,21 28:5 30:11,17,24 32:3 38:17 39:11,17 40:14 41:15 47:2 49:15 57:3 65:1 65:12,22 66:14 82:6 83:3,21 84:17 85:1 91:1 99:6 people's 22:3 66:17,20 Peoria 33:14 36:9 36:14 37:1,12 99:18 perceive 30:16 percent 22:24 86:7 period 97:18 100:19 periodic 96:19 permanent 7:22</p>	<p>8:7 23:14 56:18 69:6 78:2 permanently 62:23 100:2 permeable 14:2 permit 19:23 50:7 50:10 55:20 74:22 97:14 permitted 43:1 89:22 permitting 75:13 perpetually 83:4 perpetuate 83:2 perpetuated 23:3 perpetuity 47:3 67:6 person 9:21 10:21 16:5 personal 25:12,23 46:13 103:9 personally 46:7 86:5 pertains 57:19 Pete 76:5,5 85:7 Ph.D 17:6 phone 8:24 59:23 103:20 pile 87:14,18,22 88:2 89:10,12,20 90:1 piles 16:15,20 88:15 Pillars 82:1 pinpoint 57:6 pit 7:18 33:15 pits 11:3 13:7,19 13:22 14:14,15 18:7 44:5,9 45:2 45:4,6 46:18 place 7:14 9:19 14:12 27:15 30:9 31:15 33:23 37:10 42:15,19 43:1</p>	<p>47:6 51:20 61:2 62:6,23 63:7,16 64:3 66:2 67:4 70:20 72:8 74:9 74:18 77:15 80:4 87:11,17 92:23 93:12 94:7,22 96:13 placed 83:16 placement 62:11 97:1 places 4:12 16:14 36:20,20 placing 62:23 plagued 56:13 Plaines 77:1 plan 42:2 63:11 63:14 74:24 75:24 92:22 planet 41:7 43:11 67:5 planning 48:20 plans 11:12 12:16 19:17 32:4 72:3 75:2,3,3,11 plant 3:21,22 10:10 11:8 16:8 16:17 18:4 33:15 36:16 39:10 44:3 54:3 54:6,21 61:6 62:11 63:9 65:14,20 68:19 73:21 76:22 77:12 98:10 99:19 plants 4:14 16:22 21:24 23:2 51:16 71:6,13,15 platinum 56:17 play 32:14 48:15 played 80:6 playing 18:14 85:5</p>	<p>please 3:10 6:9 12:6 16:3 29:16 30:1 40:12 43:10 53:20 60:17 64:13 67:3,5,11,14,17 76:10 78:22 84:24 85:13 90:19 91:22 95:6,10 98:21,23 99:7 101:3,6,7 pleased 70:8 Plescica 76:5,5 85:8,12,16 pneumonia 10:13 pocketbooks 41:6 point 7:6 9:8 25:2 77:16 84:15 97:6 points 36:12 51:2 poison 83:15 poisoned 41:11 56:15,23 57:3 66:5 poisoning 58:12 83:20 85:3 93:22 poisonous 71:8,12 83:5 police 83:17 policies 69:23 policy 61:11 95:21 politely 2:23 political 51:12 84:22 pollutants 11:1,8 17:14,20 18:15 20:10 73:10 80:4,7 82:8 91:2 pollute 22:2 26:11 43:7 polluted 17:13 26:21 63:10 71:21</p>	<p>polluters 12:14 20:13 88:19 polluting 23:22 24:24 26:21 68:1 93:21 98:15 pollution 1:1,8 2:2 4:8,10,17 7:16 11:14 12:15,17 19:12,23 21:16 22:7,16,19 23:2 23:8,10,15 24:22 32:2 44:8,10,20 46:2,10,18,24 47:3,8,13 48:11 50:5 52:15 57:18 60:20 63:8 68:8,12 69:1,6,22 75:22 88:20 90:4 93:14 98:19 100:3 103:1 pond 3:22 10:9 22:12 52:6,21 63:12,15,17 ponds 6:22 7:8 8:8 18:23 22:1,5 23:17 26:16 36:17 41:9 51:22 52:3,5,12 55:3 58:19 63:10,22 69:8 70:22 77:4 92:21 93:17,18 94:7,19,22 poor 82:6 99:1 pop 33:3 population 12:6 22:24 27:3 populations 12:7 55:18 portion 2:3 35:19 43:3 92:1 pose 74:9,11</p>
---	--	---	---	---

94:19 poses 74:19 positions 51:13 positive 26:5 32:11 possible 26:9 27:10,17 41:4 54:23 70:7 94:6 postclosure 14:22 posters 38:6 Potchefstroom 56:20 potential 74:24 Potentially 18:13 power 7:9 10:10 18:4 22:18 23:11 33:14 44:3 51:16 54:3 54:6 61:5 63:9 65:19 68:18 76:22 77:12 81:2,6 92:14 93:8,15 94:12 95:17 98:9,10 powered 44:3 practice 65:6 practices 17:9 18:9 56:24 57:16 58:3,23 Pragmore 5:8,12 5:13,16,19,23 Prairie 87:7 pre-application 49:21 97:11 precariously 34:5 precious 3:19 4:4 98:12 predicting 62:20 62:21 predominantly 82:18 prejudices 83:19 prepared 33:18 prerequisites	42:17 prescribed 75:5 present 11:2 13:7 61:22 presented 13:14 46:9 presents 44:7 President 81:15 press 5:6 8:23 9:1 24:6 29:13 32:23 33:1 35:6 40:3 53:11,11,13 56:2 59:21 91:20 101:3,6 pressing 29:1,2 34:18 35:20,23 47:19,21 60:13 60:14 72:19,20 78:18 85:9,10 86:22,24 95:4,6 pressured 41:17 presumably 87:19 pretty 16:19 87:17 prevent 24:24 41:23 42:14 52:3 55:1 preventing 88:20 prevention 19:23 26:3 31:19 48:11 50:5 52:20 68:13 previously 25:17 97:3 primary 95:24 principals 48:19 principle 49:20 63:4 prior 48:17 50:6 79:10 97:11 prioritize 55:14 98:18 prioritized 100:7 priority 69:18	privilege 54:9 probably 65:5 66:21 problem 8:1 9:8 11:19 15:4 36:19 62:22 63:24 90:12 91:4,4 94:16 98:2 problems 10:18 11:5 14:23 25:9 41:12 52:17 55:1 66:10 71:7 91:10 98:20 procedure 38:8 procedures 48:13 proceed 16:3 40:12 53:20 60:7,18 64:14 67:18 76:11 78:23 85:15 90:20 91:23 95:11 proceeding 2:6 13:10 proceedings 1:7 103:5,7 process 19:14 38:2,20 48:16 49:4,8 69:19 75:13,23 78:1 80:8,21 81:5 92:2 processes 27:4 produce 79:17 produced 78:1 producing 86:13 product 51:15 production 18:6 81:4 86:15 products 51:14 professional 95:13 profit 23:22 profited 77:24	profits 41:5,6 62:13 programs 19:17 48:22 72:3 prohibit 73:21 96:15 97:1 prohibiting 23:15 projects 48:23 prominence 23:1 promote 68:15 promoting 21:19 prompt 14:9 prone 94:15 proper 56:24 57:15 71:14,18 properly 20:16 67:2 property 15:2 66:20 74:18 92:21 98:15 proponent 76:18 proposal 50:8 89:19 proposals 75:18 89:7 propose 75:3 proposed 1:6 2:6 11:9,22 13:14 19:19 33:17 49:16,22 50:24 69:23 70:9 87:10 89:2,6,18 90:6 96:1,7 protect 4:17 9:24 10:22 12:18 24:17 31:9 41:1 47:2 52:23 60:23 64:4 67:7 69:3 73:8,17 78:9 91:1 94:8 95:16 96:4 99:2 99:23 100:2 protected 4:1 14:1 23:19 31:22	77:20 100:10 protecting 4:7 8:16 15:11 21:17 64:2 88:14 protection 11:20 13:1 19:12 20:12 23:14 27:24 33:20 47:13 51:13 52:11 68:10 69:6 70:11 89:23 94:6 100:6 protections 11:11 11:13,20 20:1,3 27:15 31:12 32:6 39:9,12 55:6 61:1 75:5 90:24 protective 39:15 92:20 proven 93:19 provide 20:15 47:1 49:17 69:5 73:3 75:5 81:21 96:5 97:13 provided 50:14 102:2 providing 28:2 49:9 provision 41:19 psychologist 76:14 public 2:3,15,17 2:19 4:7 19:16 20:5 32:3 36:22 37:12,24 38:2,5 38:10,13,14 48:12,22,23 49:2 49:10,21 50:3,6 50:9,11,13,16,20 50:21 61:11 68:14 69:20,21
--	--	--	---	---

<p>70:22 75:8 79:6 88:21 90:13 92:1 95:20 96:6 97:10,12,13,16 97:17,18 100:8 101:23 102:1,4,5 publicly 72:2 pulmonologist 10:15 purchased 79:21 purely 25:12 purpose 48:14 pursue 30:15 put 6:22 16:23 51:20 72:3 80:4 86:1,11 98:21 putting 76:1</p> <hr/> <p style="text-align: center;">Q</p> <p>quality 14:16 20:11 25:18 27:2 37:11 61:9 69:9 71:11 99:1 question 81:1,3 questions 38:7 quickly 6:16 quite 57:14</p> <hr/> <p style="text-align: center;">R</p> <p>R20-19 1:3 2:10 Rabida 16:10 race 83:18 84:18 Rachel 76:7,13 racial 23:8 racism 82:2 rafting 7:12 Rain 69:10 rained 94:17 rainwater 93:13 raise 32:7 raising 94:9 ran 13:4 rate 45:7 rational 59:6,9 reached 89:24</p>	<p>read 84:1 readily 49:8 reading 85:24 Ready 90:22 real 74:14 realize 86:4 really 6:12 37:3,3 38:9,12,22 49:15 49:18 64:16 93:1 reap 56:14 reason 71:9 reasonable 50:22 reasons 59:2 75:17 recall 77:7 recedes 93:21 receive 62:10 69:17 83:10 receives 30:8 recidivism 81:23 reclaim 96:23 reclamation 58:1 58:3 62:11 recommend 96:24 97:14 recommendations 34:7 recreation 36:22 63:23 recreational 78:12 recurring 42:4 43:2 reduce 26:6 32:6 42:8 80:4,9 81:23 reduction 11:21 refinements 34:8 refuse 12:14 62:7 regard 57:11 regarding 34:8,8 57:16 68:1 70:9 regardless 15:2 84:17</p>	<p>region 92:5 Regional 13:2 regulate 4:8 11:15 regulated 13:17 14:7 regulating 23:16 89:3 regulation 41:17 90:11 regulations 13:10 15:6,10 23:8,23 38:10,21 39:7,23 41:3 43:12 55:23 58:24 67:6,24 78:9 88:22 91:11 regulator 15:8 regulators 14:18 regulatory 14:23 rehabilitation 26:20 related 10:19 31:8 54:7 74:23 relates 50:3 relations 83:18 release 14:5,8 releases 42:14 relentless 57:10 relevant 20:9 49:12 89:9 rely 89:2 remain 33:23 42:7 42:11,20 45:4 47:7 74:18 89:12 remains 20:8 71:2 remediated 34:1 remedy 42:1 remind 24:2 60:12 reminded 40:20 reminder 15:17 28:11 29:13 40:2 47:18 53:10 59:20</p>	<p>72:17 78:17 85:8 86:21 91:20 95:3 101:2 102:3 remotely 27:17 removal 14:12 18:22 19:4,21 20:7 52:13 55:4 73:5 74:7,21 89:15,17,17 remove 77:21 removed 13:23 16:20 20:19 24:23 52:1 55:3 77:15,18 removing 90:2 renewable 71:17 renovated 79:22 reoccurring 74:3 repeated 25:6 31:1 repetitive 82:5 REPORT 1:7 reported 103:4 Reporter 103:4 reporting 14:21 representative 40:19 63:3 88:12 representing 30:10 reproductive 11:4 25:10 41:13 71:7 require 14:8,11 20:8 59:11 68:13 70:2 74:7 74:22 89:23 97:14 required 37:6 51:24 55:3,17 74:20 75:7 90:3 100:11 requirement 90:7</p>	<p>requirements 13:17 14:14 47:7 64:1 90:10 requires 31:22 41:19 49:2 requiring 43:12 requisite 8:8,15 research 10:24 17:11 61:7 91:6 reserves 67:1 resident 43:23 98:8 residents 26:6 27:1,24 46:12 54:10 68:23 82:20 83:7 92:7 residual 20:6 residuals 1:5 2:8 57:17 97:7 residue 18:6 resource 3:20,20 4:5 98:13 resources 15:12 19:11 27:3 62:15 86:5,10 respiratory 10:12 responsibility 12:15 21:17 26:13,24 57:5 60:22 61:2 responsible 26:1 26:15,23 52:23 78:2,4 restricted 93:11 97:4 restrictions 42:17 43:12 80:8,12 86:3,11 97:4 restrictive 94:11 result 19:7 25:21 26:7 27:7 41:10 resulting 50:24 57:17 results 25:7 52:7</p>
---	---	---	--	---

retired 3:21 65:10 79:6	river's 87:22	run 61:6 92:7 94:18	scatter 69:14	seeds 56:14
retirement 79:21	rivers 7:17 18:23 24:20 52:2,22	running 40:18 80:17	scene 60:24	seek 96:22
return 5:1	57:18 73:18	runs 44:9	scenic 3:18 7:10 18:1 73:7	seemingly 58:24
review 49:9,12 75:8,18 97:10,18 100:8	77:5 94:13 96:22	rural 40:22	scheduled 62:10	seen 87:16 94:17
reviews 19:17 72:4	riverways 77:8		schemes 84:22	seep 46:2
revised 97:1	RMR 1:9 103:18	S	school 21:14 45:16 83:17	seepage 41:23
Richart 47:21,22 48:1,4,5 72:21 72:22,23	robust 55:10 68:11	S-E-D-A-L-L 5:4	schools 45:22 79:6	seeped 56:16
right 2:16,24 3:11 5:19 8:19 9:11 16:1 22:16 24:13 28:4,21 29:4 34:10 38:7 38:9 48:4 54:9 69:22 80:22 84:10 90:11	role 48:15 80:6	S-I-M-M-S 28:17 29:6	science 45:15 79:7 79:8	seeing 44:20 46:11 73:10 87:19,20
rights 17:9 91:14	rollbacks 32:5 100:14	sacred 61:21	scientists 19:2	seeps 7:10 18:7 41:9 44:11 45:1
ripping 73:7	room 6:12	safe 11:21 12:10 18:11 22:13 24:16 52:7,23 54:2,8 58:8 61:14 63:18 68:13 70:23 72:8 77:16 94:2	Scott 60:1,1,5,5 88:12 101:21,21	segment 3:1 8:20 9:10 21:2,6 28:18 29:5,11 34:17 35:2 60:2 60:8 72:15 86:19
rising 73:24 93:16	round 82:3	safeguard 27:2	screen 15:19 24:5 28:12 29:14 32:24 34:19 35:21 40:4 47:20 59:22 72:20 78:19 79:1 86:23 101:4	segments 2:17,19
risk 13:8 37:3 44:13 74:12 76:2 83:5	rule 11:22 12:1 14:8 31:8,23 50:5,24 100:12	safeguards 100:12	screening 12:2 39:3	seismic 74:10
risks 13:14 74:9	rulemaking 2:5,6 2:10 11:13,18 19:9,14 34:8	safely 16:21 18:10	scrutiny 6:19	selective 42:1
river 3:17,19,24 4:11,15,17 7:3,8 7:9,11,12,24 17:21,22 18:1,12 18:14 36:18 37:16,17 44:2,6 44:10,15,18,20 44:22 45:5,9,11 45:13,20 46:1,3 46:7,9,16,19,22 66:17,19 73:7,11 76:21,22 77:1,12 77:16 87:13,15 88:1,3,5,6 92:6 92:8,14,15,16 93:4,8,15 94:12	Rulemaking-La... 1:4	safer 20:20 77:19	selenium 11:2	self-sufficient 84:12
	rulemakings 61:13	safest 51:14	second 5:1 14:11 20:7 49:6 50:2 66:13 74:8 82:14	Senate 88:11
	rules 8:5 9:23 11:9 12:12 13:15 19:19,24 20:1,2,18 21:18 22:18 27:4,7,9 27:18,22 31:11 31:13,19 32:6 33:18,22 42:10 47:1,4 48:11 54:17 61:22 68:12 69:4 70:1 70:9 73:17,21 74:7,22 75:22 78:3,8 87:10 89:2,6,7,18 94:2 96:1,3,8,11,15 97:1,13,14 98:17 99:21,24	safety 11:11 20:4 55:7,8,10 61:18 70:21 75:1,2 76:2	screening 12:2 39:3	Senator 88:12
	rulings 61:15	sanctioning 83:11 84:21	secondly 96:5 97:5	senior 70:17
		Sandra 78:15,16	secretly 66:4	sensitive 12:5
		Sandy 79:6	section 21:8 48:10 50:4 53:9 72:17 101:24 102:6	separated 2:18
		Sankoty 37:13	secure 37:7	serious 13:14 25:8 54:24
		saturated 93:18	securely 77:18	serve 99:6
		Sauget 81:20 82:17	Sedall 5:3,4,11 9:3,3 35:7,7 101:9,10	served 10:8 48:18
		save 43:10	see 7:6 18:2 32:20 33:3 37:1 72:16 80:12 85:4 87:17,21 90:6	session 9:7 88:24
		savings 93:23		set 2:14 8:5,6 19:15 24:23 37:7 67:6 89:11
		saying 81:14 82:4 84:1		Seventy 66:17
		says 50:5		severe 65:17 91:10
		SB 75:5 78:6 88:10		sew 56:15
		scary 58:1,1		Shalom 30:7
				shapes 46:1
				shared 12:18 25:5

45:10 shareholder's 41:5 Shay 61:5 62:3 shocked 16:1 shocking 57:14 short 25:8 49:24 73:14 95:23 short-term 91:4 shortages 84:9 shorthand 103:3 103:5 show 83:6 shown 52:16 91:6 shut 93:5 shutter 58:12 shuttered 92:14 siblings 44:23 sick 77:22 sicken 82:11 side 80:18 sides 7:18 Sierra 3:14 36:9 79:11 85:20 87:7 90:23 92:4 99:18 signature 103:11 significant 13:8 50:11,15,21,23 50:23 74:9,11 significantly 22:8 25:19 signs 73:10 84:1 silently 17:17 sills 80:14 similar 34:4 91:12 Simms 28:16,16 29:5,6 35:11,11 101:13,13 simply 80:22 90:5 94:7 99:22 sincerely 28:7 sins 18:20 sir 15:15	sisters 16:13 sit 26:14 92:21 site 33:24 38:15 44:6 54:13 57:24 90:8 sited 68:17 sites 20:15 21:22 25:15 26:15 30:19 34:3 37:19 38:11 39:16 51:21 58:9 61:24 69:5 98:15,17 99:21 siting 14:5 sits 92:5,15 93:8 situated 34:5 situation 21:21 45:4 46:8 64:17 93:1 six 45:21 sizes 77:11 skiers 92:11 skip 4:24 slow 87:22 slurry 61:23 smallest 20:21 smart 81:17 soaking 96:19 social 59:1 societal 56:11 society 83:4 soil 41:9,10 63:13 soils 14:2 solar 86:7 sold 77:12 solubility 62:21 solution 7:15,22 78:2 84:20 solutions 81:16 82:2 solving 11:18 59:11 Sondheim 86:19 86:20 100:23,24	soon-to-be-closed 33:14 soot 80:13 sorry 4:21 5:17 6:5 24:12 63:18 64:22 sort 59:9 sound 58:3 sounds 90:2 soups 17:15 source 22:3,7 42:14 57:7 66:13 82:14 sources 46:13 62:24 77:10 south 37:14 56:21 57:2 58:5 Southern 9:18 southside 16:6 65:13 space 70:23 spacebar 79:2 span 10:14 speak 4:24 6:11 8:17 15:13 16:24 28:3 31:3 48:8 51:8 53:2 55:22 76:13 79:14 98:7 speaking 12:7 32:21 43:22 55:18 70:4 76:21 90:24 99:20 specialist 51:10 specialized 48:21 species 56:14 92:10 specific 34:7 39:13 50:13 52:8 specifically 25:24 76:22 83:5 99:24	specifics 74:23 specify 38:9,21 48:12 spelled 29:19 spent 12:24 16:10 53:23 92:19 spill 46:19 spilling 99:3 spills 82:23 splash 17:23 splashing 7:12 spot 7:11 spring 88:1 Springfield 1:10 2:12 squarely 26:14 St 13:5 81:18,20 82:17 stability 75:1 stable 74:10 staff 36:10 38:7 45:17 stain 80:16 stakeholders 48:14 49:5 70:4 stand 23:21 31:5 standard 14:5 63:19 standards 1:4 2:7 8:5 11:10 19:4 19:21 20:12 24:23 54:21 70:11 71:19 89:3,23 90:4,9 Star 5:6 9:1 15:21 24:7 28:13 29:1 29:14 33:2 34:20 35:6,23 40:5 47:21 53:13 56:4 59:23 60:14 67:13 72:21 85:10 86:24 95:6 101:6	start 9:10 11:22 13:15 21:7 29:12 81:14 starting 100:21 starts 72:5,15 state 1:9 3:16 15:9 17:16 19:5,8,8 19:10 26:8 33:22 34:4 37:4 40:19,21,22 42:10 43:10 45:20 62:2 63:5 64:22,24 68:11 78:6 81:24 86:9 95:13 stated 8:5 25:17 82:13 97:3 states 50:8 68:8 68:24 74:15 statewide 36:18 station 7:9 21:23 22:6 92:14 93:8 93:15 94:12 95:17 status 61:21 stay 37:10 74:18 stays 15:2 steadily 87:19 steady 63:5 steel 79:18,24 80:18 81:5 steelmaking 80:8 stem 83:14,19 stenographic 103:8 step 86:14 Stephanie 81:10 steps 43:8 Steven 1:9 86:19 86:20 100:23,24 103:3,18 stewards 26:1 Stickney 16:8 65:14,19
---	---	---	--	---

stigma 85:2	structural 75:1	supporting 97:15	98:22 103:9	67:22
stigmas 83:19	82:2	100:9	takeout 7:5	testimony 19:15
stipulates 48:11	Stuart 86:24 87:6	supports 51:24	talk 21:20 65:12	testing 10:15
stop 24:19 63:7	stuck 15:5	52:11 70:8	talking 56:8,9	thallium 11:1
68:24	student 53:22	supposed 88:23	83:8	51:18 78:11,12
stopwatch 2:21	students 45:13	89:14	tardiness 83:13	thank 4:18,19
storage 18:7 58:18	46:3 57:22,23	sure 43:20 56:7	task 60:22	5:15,23 6:10
58:19 68:14,20	61:9	85:16 99:4,8	taught 6:16 17:7	8:16,18 9:17
76:24 77:3,11,15	studies 83:6	Surely 59:13	taxpayer 25:19	11:12 12:18,20
89:10 94:3	studying 70:18	surface 1:5 2:9	74:20	12:23 15:12,14
96:16	84:11	13:21 14:6	taxpayers 4:6	16:2,23,24 17:1
stored 4:11 27:11	stuff 58:1,1	41:20 42:6,12	15:5 20:14 27:1	19:10 20:23,24
31:15 47:5	stunted 11:7	57:19 62:8 64:3	64:21	21:13 23:23,24
68:19 73:11,20	subject 82:23	74:1,4,6 96:4	teach 17:8	28:7,9 29:17
77:18 96:12,21	submit 9:22 74:23	Surprisingly 65:1	teacher 79:7	30:5 32:16,17
stories 25:4	submitted 75:12	surrounded 16:14	teaches 30:12	33:11 34:12,13
strategically	95:20	surrounding	teaching 61:8	34:14 36:6,9
83:15	submitting 51:3	27:22 63:6	79:8,10	38:2 39:20,23,24
streams 7:17	Subsection 50:4	68:24 71:5	Team 30:6,8	40:12,14 43:13
52:22 73:18	subsequent 94:10	82:18	tears 69:10	43:14 47:14,16
94:13	subsidiary 68:18	Survey 45:18	technical 34:7	48:8 51:1,4,8
Street 103:19	substance 23:4	survivor 16:12	telephone 15:20	53:1,3 55:21,24
streets 93:5	substances 17:13	susceptible 4:11	24:6 28:13,24	56:6 59:14,16,17
strengthen 37:2	71:3 73:16	suspension 80:15	29:15 33:1	59:18 60:19,20
39:22 55:22	sufferer 98:24	sustainability	34:20 35:6,22	64:7,9,15,17
75:22	sufficient 49:11	59:8	40:5 47:20	67:7,9 70:11,12
strengthened	99:23	sustainable 81:16	53:13 56:4	72:9,10 73:2
19:20	suggest 50:12	86:5,15	60:14 67:13	76:3,4,12 78:13
strengthening	59:8	sustained 42:4	72:20 78:20	78:14 81:6,8,12
21:18 23:23	suggests 17:12	43:3 56:17 74:3	85:11 86:23	85:5,6 86:17
stretch 45:8	suicide 65:16	sweeping 88:3	95:5 101:5	90:15 91:15,17
strict 19:4 68:10	Suite 103:19	switched 86:6	tell 24:12 65:8	91:24 94:23
91:11	suited 62:20	system 37:17	temporary 89:10	95:1 97:19,20
Stricter 15:6	sulfate 22:10 68:4	52:17 91:7	89:12	98:6 99:10,11
strictly 90:3	sum 38:6		ten 13:2 22:3	100:14,16
stringent 51:20	summer 70:20	T	85:19,21	101:24 102:7
strong 9:23 11:10	Superfund 21:22	table 7:22 14:1	Tennessee 13:12	Thankfully 19:22
12:12 20:17	30:19	93:16 96:14	66:7 77:22	thanks 5:22 87:6
27:15 47:1 67:6	support 11:9 20:2	97:2	terminology 42:8	90:12
67:24 99:22	24:16 30:8,11	tables 38:6 57:18	terms 25:13 86:9	thing 80:22 90:3
stronger 11:19	31:11 34:10	tactics 6:21	Tessine 90:16,22	95:18
strongest 52:11	51:13 75:4,11	take 44:24	test 62:17,20 63:1	things 17:8 59:5
strongly 14:4	86:8 88:18	taken 1:9 14:4,24	63:2	74:23
23:20	95:19	44:21 45:12	testified 65:7	think 6:7,12 37:8

38:9,22 58:12,21 59:6 65:5 80:19 86:11 90:11 third 21:22 74:17 Thirty 49:14 thought 17:7 79:4 85:21 thoughtful 28:8 thousand 58:9 thousands 17:22 18:13 19:13 45:12 57:3 threat 45:7 74:13 74:20 94:20 threatened 3:20 77:5 threatens 93:14 three 2:22 10:11 28:15 44:5,7,12 94:17 95:7 100:5 three-minute 2:20 67:14 85:14 101:8 thyroid 11:6 63:20 tightened 13:15 time 2:23 16:22 19:15 20:22 21:2 27:14,20 28:1 34:10 36:12 39:20 40:21 43:13 49:9,12 53:1 55:22 63:2 78:13 80:9 81:7 83:22 84:8 86:4 86:11 88:4 89:20 93:9 95:23 97:9 100:14,19 time-limit 31:13 timeframe 49:14 49:24	timeline 89:15,16 times 2:14,15 54:6 63:18 70:6 92:10 today 15:13 21:15 28:15 55:22 64:18 65:7 67:23 70:20 99:20 102:2 told 79:1 tomorrow 102:6 Tompkins 76:7,8 76:12,14 Toni 91:19 92:2 tonight 39:21 49:3 50:2 51:9 73:16 79:15 101:24 102:6 tons 18:5 46:18 61:24 62:6 Tony 95:2,3,8,12 100:24 101:1 tool 11:22,24 39:3 top 98:21 touch 44:24 tourism 92:12 town 36:16 towns 92:8 93:4 toxic 11:8 17:14 22:9,14 24:20 25:8 26:10 32:15 34:11 58:13 62:13 66:18 68:3,21 71:1 73:16 77:9 77:20 toxicity 60:24 toxics 82:20 toxin-free 25:22 toxins 26:22 30:21 33:20 54:19 68:4 77:7 78:10 93:20 tradition 30:12	32:13 training 81:22 transcribed 103:9 transcript 103:7 transgressions 58:18 translation 12:9 55:20 transparent 19:15 27:5 49:6 72:6 transportation 11:21 20:6 39:11 treasure 3:23 4:6 98:13 treat 41:14 90:11 treated 47:9 treatment 84:16 trial 103:5,8 tried 10:14 Trimble 6:5,6,10 8:12,15,19 trip 45:23 trips 44:22 45:13 45:19 46:4 trouble 33:4 97:23 truancy 83:12 true 25:20 42:21 103:6 truly 42:13 try 80:19 86:2 trying 6:21 tubes 17:24 turn 79:22 turned 6:14 turning 89:8 Tuscola 10:6 TV 94:18 twice 10:13 two 16:13 17:7 21:2,24 25:1 44:1,9,21 46:13 49:4 51:2 86:2 95:24 100:3	type 82:9 typical 81:19 typically 37:13 <hr/> U <hr/> U.S 12:2 13:1 39:2 57:16 58:9 89:2 89:7,7,19 Ullrich 12:22,23 12:24 65:8 unacceptable 27:23 54:8 58:23 63:11 65:22 75:16 93:19 94:2 unanimously 64:23 unapproved 100:13 uncommon 57:1,1 unconfined 37:17 unconscionable 31:7 undefined 50:17 undermine 88:2 89:4 underprivileged 39:5 underrepresented 83:9,21 underserved 81:19 83:9 understand 13:18 14:8 49:16 understandable 13:16 38:16 understanding 69:20 underway 19:10 underwent 10:14 unethical 57:12 58:23 unhealthy 62:16 64:2	unit 45:19 United 10:2 University 70:17 unjust 30:17 unleash 93:14 unlimited 89:20 unlined 22:1,1 52:3 62:7 92:20 93:17 unmute 4:24 5:6 8:23 9:1 15:18 15:20 24:5,7 28:11,24 29:2,14 29:15 32:24 33:2 34:18 35:6 35:20,22,24 40:2 40:5 47:19 53:11,12,14 56:3 56:4 59:20 60:12 67:12 72:18 78:17 85:9 86:21 95:4 101:4,6 unmuted 95:9 98:2,3 unmuting 97:24 unreasonable 50:14 unsafe 11:3 uranium 58:14 Urbana 3:13 urge 21:15 23:20 42:16 67:3 73:21 75:21 urgent 70:21 use 4:4 12:1 17:8 38:24 48:19 62:5 67:12 user 5:6 uses 11:22 utilities 57:8 58:4 61:10 62:2,14 81:6
--	--	--	---	---

<p style="text-align: center;">V</p> <p>V-E-L-E-Z 72:12 vague 42:7 valid 62:20 validity 63:1 Valley 66:7 valuable 4:4 27:4 value 66:19 84:23 values 30:13 Vanessa 1:8 2:4 Variable 96:17 varying 62:24 vegetation 63:13 Velez 60:11,14 72:12,12 101:21 101:22 Vermilion 3:17 4:15 7:8 18:4 43:24 44:2 46:14,16,23 77:1 87:13 95:17 Vernon 30:7 veterinary 85:18 video 5:5 8:22 15:17 24:3 28:13 29:1 32:24 35:20 40:3 47:18 53:10 56:2 59:21 60:13 67:11 72:18 78:18 86:21 95:4 101:3 view 25:2 violation 14:11 violations 15:9 violence 81:23 Virginia 58:6 visible 73:10 80:13 visit 20:11 visited 10:15 87:15 Vistra 87:15</p>	<p>92:17 vital 63:21 voice 70:24 100:10 volume 88:2 volunteer 3:13 36:8 87:7 volunteered 95:14 voters 51:9,11,23 52:10,18 64:21 67:20,22 76:16 vulnerability 17:12 vulnerable 12:6 20:21 32:2 52:14</p> <hr/> <p style="text-align: center;">W</p> <p>W-I-L-L-E-T-S 53:16 walk 90:5 wanders 38:5 want 21:20 26:9 31:4 32:14 36:9 39:8 43:20 48:8 49:3,15 51:1 60:20 65:3,16 73:2 82:4 86:1 wanted 79:14 82:3 95:24 wants 41:2 warnings 94:18 washed 77:7 Washington 81:19 waste 18:10 25:7 26:10 41:2 51:14,15 61:16 81:3 82:15 wastes 4:10 watched 80:8 water 6:24 7:13 7:21 12:10,19 13:21 14:6 22:3</p>	<p>22:7 23:16 24:22 25:23 26:1,11 27:2,8 28:3,6 30:21 31:17 34:9 36:13 37:10,12 41:18 42:6,8,11 42:12,16,21,23 44:24 46:12 47:10 51:13 52:4,7,24 54:2,9 54:19 55:1 57:18 61:9 62:15,24 64:3 66:5,14 68:2,23 69:2 71:12 73:13,19,20 74:6 76:2,19 77:10 78:12 91:14 93:6,16,18,20,22 96:20 100:2 waters 26:20 62:8 64:3 74:1,4 96:5 96:23 waterway 3:18 34:1 87:19 waterways 26:11 34:5 99:23 Waukegan 16:16 16:17 21:21,21 21:23 22:6,9,24 23:13,21 30:11 30:18,22 31:3 54:3,5,13,20 68:16 69:16 98:8,11,19 Waukegan's 98:19 way 20:23 38:3 42:13 54:23 57:2,8 62:12 86:3,10,12 90:11 ways 12:7 36:15 56:13 81:23</p>	<p>we'll 2:16 5:18 6:2 24:1 33:6 40:1 51:2 53:8 56:12 86:18 100:22 101:7 we're 21:5 29:10 35:2,17 41:14 56:7 72:14 81:24 83:8,22 84:10,19 97:5 we've 10:7 33:7 86:6,7 weak 33:19 weakened 100:13 weakening 31:8 weaker 19:24 wealthiest 57:13 Webex 2:12 3:3 8:22 33:4 weight 11:7 102:4 Welcome 2:2 well-aware 39:15 well-being 57:11 wells 31:18 46:13 54:13 71:23 78:5 went 45:22 West 103:19 Western 85:19 wet 6:22 7:21 18:22 19:4 20:8 27:11,14 31:14 33:23 37:22 47:5,7 55:2,3 58:19 69:7,12 71:19 77:4 94:5 wetland 93:21 wetlands 8:16 13:20 74:11 wife 48:18 wild 18:1 wildlife 82:12 92:9 Willetts 53:16,16</p>	<p>60:4,4 101:20,20 willingness 15:7 win 88:1 window 80:1,13 Wisconsin 13:12 66:8 wish 59:15 81:1,1 withdrawal 68:9 withstand 6:18 Witness 103:11 witnessed 44:19 Women 51:9,11 51:23 52:10,18 67:20,22 76:15 wonder 84:19 wonderful 3:6 5:14 33:7,10 59:15 wondering 93:7 Wood 76:22 77:12 92:14,16 93:8,15 94:12 woodland 45:14 word 48:13 work 36:10 59:15 77:19 81:22 82:1,1 worked 16:9 79:9 worker 11:11,19 31:12 65:11,15 65:19 100:5 workers 20:4 23:18 27:16 31:21 39:9,12 52:11,14 55:6,7 77:19,21,23 99:2 working 12:18 30:24 87:2 89:4 workings 59:5 works 48:23 world's 57:13 66:13 worries 98:14 worse 30:20 45:5</p>
--	--	--	---	--

89:8 worsen 27:19 worsening 27:8 worst 16:14,14 68:7 wouldn't 26:8 66:21 write 33:5 writing 16:4 51:3 76:21 written 20:1 50:7 78:8 96:11 99:21 102:4 wrong 30:4	10 6:11 100 90:23 1021 1:9 11 6:11 110th 40:19 11th 2:13 16:9 120 56:20 12th 1:10 2:13 13th 2:13 14 13:4 49:22 97:8 14th 2:13 15 61:7,8 15-minute 2:17,19 8:20 28:18 60:2 60:8 15th 95:21 18 79:9,19 1955 44:4	40 17:7 77:11 400 30:10 54:6 419-9292 103:20	9 9 19:8 75:6 78:7 88:10
<hr/> X <hr/>		<hr/> 5 <hr/>	
<hr/> Y <hr/>		<hr/> 6 <hr/>	
Yeah 5:19 40:13 51:7 year 16:13 77:6 79:23 89:1 93:4 years 4:3 6:11 7:4 7:24 8:4 10:7 12:24 13:4 16:7 17:7 19:7 44:20 45:21 48:24 61:7,8 66:5 67:21 73:7 79:7 79:9,19,22 80:11 85:20,21 90:10 Yesterday 75:9 young 17:10,12 17:17	<hr/> 2 <hr/> 2 63:15,17 20 79:7 2007 103:19 2008 66:7 77:22 2010 54:5 2011 44:4 66:8 2014 66:15 2016 92:17 2017 71:11 2019 19:9 2020 1:10 2:13 95:22 103:13 20th 18:20 22.59 48:10 50:4	5:00 1:10 2:24 100:21 5:15 3:1 5:2 9:9 9:10 5:30 9:10 21:6 5:45 21:6 29:11 34:16 5th 45:21	
<hr/> Z <hr/>	<hr/> 3 <hr/>	<hr/> 7 <hr/>	
zero 83:8 92:19	3-minute 29:17 30 3:15 7:24 8:4 12:24 48:24 90:10 30-day 97:17 312 103:20 35 1:6 2:6 10:9	6:00 29:11 34:17 35:2,18,18 6:15 35:2,18 53:8 6:30 60:7 6:45 72:16 606 17:5 60603 103:20	
<hr/> 0 <hr/>	<hr/> 4 <hr/>	<hr/> 8 <hr/>	
0.006 63:19 084-004675 103:21		7:00 86:19 100:19 7:15 86:19 100:19 70 63:18 74 17:15 75 22:24	
<hr/> 1 <hr/>		8 103:19 8:00 102:7 800 45:21 845 1:6 2:7	
1 61:5 62:3 63:12			