

ILLINOIS POLLUTION CONTROL BOARD

June 3, 2021

IN THE MATTER OF:)	
)	
PETITION OF AMEREN ENERGY MEDINA)	AS 21-7 (Adjusted Standard-Land)
VALLEY COGEN, LLC (HUTSONVILL D))	
FOR ADJUSTED STANDARD FROM)	
35 ILL. ADM. CODE PART 845)	

ORDER OF THE BOARD (by J. Van Wie):

On May 11, 2021, Ameren Energy Medina Valley Cogen, LLC (Ameren) filed a petition (Pet.) pursuant to Section 28.1 of the Environmental Protection Act (Act) and Part 104 of the Board’s procedural rules. See 415 ILCS 5/28.1 (2018); 35 Ill. Adm. Code 104.Subpart D. Ameren seeks this regulatory relief for Hutsonville D, one of two coal combustion residuals surface impoundments (CCRSI) at Ameren’s inactive Hutsonville Power Station in Crawford County (Hutsonville). Pet. at 3. Ameren seeks an adjusted standard “in order to manage post-closure care of Hutsonville D in accordance with existing Board regulations, specifically Part 840, a site-specific regulation adopted by the Board in R09-21.” *Id.* at 3-4.

Section 28.1 of the Act and Section 104.408 of the Board’s procedural rules require publication of notice of an adjusted standard proceeding in a newspaper of general circulation in the area affected by the petitioner’s activity. 415 ICLS 5/28.1(d)(1) (2018); 35 Ill. Adm. Code 104.408(a). Notice must be published within 14 days of filing a petition for an adjusted standard with the Board. 35 Ill. Adm. Code 104.408(a). As required by Section 104.410, Ameren timely filed a certificate of publication of notice on May 26, 2021. Notice of filing the petition was published in the Robinson Daily News on May 22, 2021.

The Board finds that the notice and petition meet the requirements of Section 28.1 of the Act and Section 104.408 of the Board’s procedural rules and accepts the petition for adjusted standard. See 415 ILCS 5/28.1 (2018); 35 Ill. Adm. Code 104.408. Unless otherwise ordered, the IEPA must file a response including its recommendation concerning the Board’s proposed action on this petition within 45 days after service of the petition. See 35 Ill. Adm. Code 104.416(a). On May 21, 2021, the Illinois Environmental Protection Agency (IEPA) moved for a 90-day extension of this time to and including September 23, 2021. Ameren has not objected to this request. The motion is granted.

Ameren states its intent to “further and fully develop the facts contained in this Petition at hearing” and requests that the Board hold a hearing on its petition. Pet. at 26.

The Board notes that Ameren’s petition included 6 exhibits designated 1 through 6. This order makes no determination on the informational sufficiency or the merits of Ameren’s petition. The Board through its own orders or through orders of its hearing officer may direct Ameren to provide additional information.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 3, 2021, by a vote of 4-0.

Don A. Brown

Don A. Brown, Clerk
Illinois Pollution Control Board