

From: [Clean Power Lake County](#)
To: [Brown, Don](#)
Subject: [External] Public Comments on AS 2021-003
Date: Monday, May 23, 2022 10:06:40 AM

Dear Illinois Pollution Control Board,

We are Clean Power Lake County, a grassroots, environmental justice organization based in Waukegan, Illinois, which is an environmental justice community as defined under Part 845 of the Illinois Administrative Code. As explained in our August 6 letter to this Board, and updated in our August 26, 2021 letter, groundwater pollution from coal ash storage at Midwest Generation's Waukegan plant continues to pose an urgent threat to our community.

We write again to underscore the importance of acting to address this pollution and request that the Board directs the Illinois Environmental Protection Agency ("IEPA") to work expeditiously on, and complete as soon as doable, its recommendation concerning Midwest Generation's petition to exempt the Waukegan plant's "Old Pond"/"Grassy Field" from compliance with the new coal ash rules.

Midwest Generation has petitioned this Board for an "Adjusted Standard" to the new coal ash rules for its Waukegan plant. On August 18, IEPA requested an additional 90 days to respond to Midwest Generation's petition, which would extend IEPA's recommendation deadline to November. Additional extensions have been requested and approved, and we find ourselves in late May 2022 with yet another request from IEPA to extend the deadline to August 1, 2022. This is a delay in the decision-making process of over a year.

Each day that the Waukegan plant's pollution goes unchecked presents a risk to our community. As this Board has previously found, the coal ash stored at the Waukegan plant is causing groundwater pollution. Over a seven-year period, monitoring results at the Waukegan plant indicated 97 exceedances of the Part 620 Class I arsenic standard, 169 exceedances of the Part 620 Class I boron standard, and 57 exceedances of the Class I sulfate standard.

We recognize that there are many demands on IEPA's limited capacity and resources. However, we believe that this process, having been extended more than a year, has now been unduly delayed. Due to the urgency of the threat posed by the Waukegan plant's pollution, we encourage IEPA to make a recommendation on the legacy coal ash pollution and resulting groundwater contamination so that this Board can decide on Midwest Generation's amended petition. We fear that if IEPA does not issue its recommendation soon, Midwest Generation will seek to avoid including this legacy contamination in its closure plan. The Coal Ash Pollution Prevention Act mandated that coal ash impoundments in areas of environmental justice concern be prioritized, and this would do the opposite.

Therefore, we urge the Board to request that IEPA work expeditiously on its recommendation concerning Midwest Generation's amended petition consistent with Part 845's goal of prioritizing coal ash closure and clean up in environmental justice communities, like Waukegan.

Thank you,

Clean Power Lake County

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This email was sent by Clean Power Lake County, a community-driven coalition committed to local action to secure environmental, economic, and racial justice.

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