



Office of the Mayor

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March 30, 2022

Mr. Don Brown
Clerk, Illinois Pollution Control Board

To the Members of the Illinois Pollution Control Board:

As elected officials representing the City of Waukegan, we represent over 90,000 people who rely on the resources of our community as part of their everyday lives. We continue to strongly object to any motion for extension of time on docket AS 2021-003, including the extension motion filed by Midwest Generation, LLC (MWG) on March 28, 2023 on their responsibility to respond to the Illinois Environmental Protection Agency's (IEPA) recommendation.

Groundwater pollution from coal ash storage at Midwest Generation's Waukegan plant continues to pose an urgent threat to these resources and the health of our residents. With the health of our community as our top priority, we urge you to quickly address this pollution by maintaining the current timeline for Midwest Generation to file its response to the IEPA's recommendation filed on October 31, 2022 to deny Midwest Generation's petition to exempt the Waukegan plant's "Old Pond"/ "Grassy Field" from compliance with the new coal ash rules.

Midwest Generation petitioned this Board on May 11, 2021 for an "Adjusted Standard" to the new coal ash rules for its Waukegan plant. There have been multiple extensions granted totaling over 22 months. An additional extension of three months past the current deadline of April 28, 2023, for MWG to respond would be a disservice to the people of Waukegan, who deserve a timely decision on this important issue that will impact the health and standard of living for residents across Waukegan.

Each day that passes without a decision, pollution continues to compound in a community that already bears the environmental burdens of irresponsible companies. In a ruling from the Board on June 20, 2019, the Board found that Midwest Generation caused groundwater contamination at the Waukegan plant, resulting in water pollution. It also found that Midwest Generation did not take action to prevent contamination, but rather chose to continue operations despite being aware of the damage it was causing and has continued to cause. This negligence and complete disregard for the community cannot continue to proceed unchecked.

Since the last extension for MWG's response was granted, the U. S. Environmental Protection Agency published its intent to accept feedback as part of its proposed settlement with environmental groups to include coal ash landfills that were previously left out of rulemaking for required clean-up. This review and consideration for updated rulemaking indicates the US EPA's concern with the impact of this coal ash on groundwater safety at sites like the "Old Pond" in Waukegan.



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Again, we are urging the Board not to grant any additional motions for extension of time for this case. Making a final decision to hold Midwest Generation accountable to the new coal ash rules would ultimately protect the health and well-being of Illinois residents for years to come. In alignment with your duty to implement environmental control standards for the state, I urge your consideration of maintaining this timeline to serve in the best interest of the residents of Waukegan.

Thank you,

Mayor Ann B. Taylor
City of Waukegan

State Representative Rita Mayfield
60th District

State Senator Adriane Johnson
30th District