

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
COAL COMBUSTION ASH PONDS) R14-10
AND SURFACE IMPOUNDMENTS AT)
POWER GENERATING FACILITIES:) (Rulemaking – Water)
PROPOSED 35 ILL. ADM. CODE 841)

NOTICE OF FILING

John Therriault
Assistant Clerk
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601

Office of Legal Services
Illinois Dept. of Natural Resources
One Natural Resources Way
Springfield, Illinois 62702-1271

Timothy J. Fox
Hearing Officer
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601

Matt Dunn
Division Chief, Environmental Enforcement
Office of the Illinois Attorney General
69 W. Washington, Suite 1800
Chicago, Illinois 60602

Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the Illinois Environmental Protection Agency's Motion to Correct Transcript- February 26, 2014 and Motion to Correct Transcript- February 27, 2014, a copy of each of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 

James Jennings
Assistant Counsel
Division of Legal Counsel

DATED: March 25, 2014

James Jennings #6300112
Illinois Environmental Protection Agency

Division of Legal Counsel
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(217) 782-5544

THIS FILING IS SUBMITTED ELECTRONICALLY AND SERVED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
) R14-10
COAL COMBUSTION WASTE) (Rulemaking- Water)
SURFACE IMPOUNDMENTS)
AT POWER GENERATING)
FACILITIES: PROPOSED NEW)
35 ILL. ADM. CODE 841)

MOTION TO CORRECT THE TRANSCRIPT – FEBRUARY 26, 2014

NOW COMES, the Illinois Environmental Protection Agency (“Agency”) by one of its attorneys, James Jennings, and pursuant to 35 Ill. Adm. Code 101.604 moves the hearing officer in this matter to correct the transcript of February 26, 2014 as follows:

<u>Page</u>	<u>Line</u>	<u>Correction</u>
6	24	Change “2012” to “2013”
21	10	Change “HEARING OFFICER” to “MS.”
41	21	Change “culpability” to “applicability”
54	18	Change “II” to “2”
58	23	Change “active” to “acted upon”
76	17	Change “35.145” to “35145”
76	22	Change “35.145” to “35145”
76	24	Change “35.145” to “35145”
82	22	Change “inorganics” to “organics”
102	6	The Agency believes Mr. Fox, not Ms. Franzetti said “Surely.”
105	7	Change “immediate” to “media”
107	10	Change “pausopak” to “poz-o-pac”

120	16	Change "RD9" to "R89"
121	23	Change "County in that" to "Calumet"
123	12	Change "service" to "surface"
128	2	Change "418.402(b)(3)" to "814.402(b)(3)"
134	12	Change "would propose" to "we proposed"
135	21	The Agency believes that Mr. Cobb said "No" and Ms. Olson said "so that part of the..."
139	19	Change "regularly" to "radially"
149	24	Change ""620.424" to "620.450(a)(4)"
150	11	Change "620.454(b)" to "620.450(b)"
150	16	Change "is" to "as"
154	10	Change "SIP" to "SRP"
158	1	Change "radial tour" to "regulatory"
165	2	Change "enacted" to "inactive"
167	8	Change "costs" to "cause"
169	8	Change "401.405" to "841.405"
185	12	Change "ground" to "groundwater"
190	22	The Agency believes Ms. Franzetti, not Ms. Zimmer, asked this question
192	5	The Agency believes Mr. Cobb said "to remove benzene" not "or benzene"
193	12	Change "same planning" to "sampling"
205	1	Change "Stukarich" to "Skrukrud"
213	9	Change "Three" to "Prairie"

218 14 The Agency believes Ms. Olson, not Ms. Dexter, made this statement.
236 12 Change "full" to "coal"
240 5 Change "where on" to "there are"
251 2 Change "area" to "aerial"
252 12 The Agency believes Mr. Cobb said "1991" not "1981"

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 

James Jennings
Assistant Counsel
Division of Legal Counsel

DATED: March 25, 2014

James Jennings #6300112
Illinois Environmental Protection Agency
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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COAL COMBUSTION WASTE)	(Rulemaking- Water)
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MOTION TO CORRECT THE TRANSCRIPT- FEBRUARY 27, 2014

NOW COMES, the Illinois Environmental Protection Agency (“Agency”) by one of its attorneys, James Jennings, and pursuant to 35 Ill. Adm. Code 101.604 moves the hearing officer in this matter to correct the transcript of February 27, 2014 as follows:

<u>Page</u>	<u>Line</u>	<u>Correction</u>
19	22	Change “safe” to “state”
25	8	Change “self-type” to “sump-type”
28	11	Change “visual” to “digital”
28	14	Change “site” to “size”
31	13	Change “rulings” to “rules”
37	17	Change “NYPDES” to “NPDES”
37	18	Change “NYPDES” to “NPDES”
55	14	The Agency believes Mr. Cobb said “indeed, not precluded,” not “indeed, precluded”
59	8	Change “correct” to “corrective”
64	19	The Agency believes Mr. Armstrong said “CCW maximum value,” not “TDS maximum value”

69	6	Change “equally verdant” to “equilibrium”
73	21	Change “monitoring” to “modeling”
82	10	The Agency believes “... they are impacting groundwater?” was asked “... they are not impacting groundwater?”
96	9	Change “this” to “that”
98	3	Change “is” to “it”
104	16	Change “622.50” to “620.505”
104	20	Change “622.50” to “620.250”
105	4	Change “622.01” to “620.201”
105	6	Change “622.50” to “620.250”
116	17	Change “clause” to “cause”
119	18	Change “mornings” to “morning”
120	10	Change “and” to “as”

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 

James Jennings
Assistant Counsel
Division of Legal Counsel

DATED: March 25, 2014

James Jennings #6300112
Illinois Environmental Protection Agency
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1021 N. Grand Ave. East
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Springfield, IL 62794-9276
(217) 782-5544

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CERTIFICATE OF SERVICE

James Jennings, Assistant Counsel for the Illinois EPA, herein certifies that she has served a copy of the foregoing NOTICE OF FILING, MOTION TO CORRECT THE TRANSCRIPT-FEBRUARY 26, 2014, and MOTION TO CORRECT THE TRANSCRIPT- FEBRUARY 27, 2014 upon persons listed on the Service List by mailing, unless otherwise noted on the Service List, a true copy thereof in an envelope duly addressed bearing proper first class postage and deposited in the United States mail at Springfield, Illinois on March 25, 2014.

By: _____



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