

ILLINOIS POLLUTION CONTROL BOARD

June 2, 2016

IN THE MATTER OF:)
)
SITE-SPECIFIC RULE FOR THE CLOSURE) R13-19
OF AMEREN ENERGY RESOURCES ASH) (Rulemaking - Land)
PONDS: PROPOSED NEW 35 ILL. ADM.)
CODE 840, SUPBPART B)

ORDER OF THE BOARD (by J.D. O’Leary):

The Board today extends to July 20, 2016, the deadline for Illinois Power Resources, LLC (Illinois Power Resources) and Ameren Energy Medina Valley Cogen, LLC (Medina Valley) to file a status report. The Board also invites comment from other participants or interested persons by the extended July 20, 2016 deadline.

This rulemaking docket opened on April 9, 2013, when Ameren Energy Resources on behalf of Ameren Energy Resources Generating, AmerenEnergy Generating Company, and Electric Energy, Inc. (collectively Ameren) filed a proposal to add a Subpart B to Part 840 of the Board’s regulations. Part 840 addresses the closure of coal combustion waste surface impoundments. Ameren stated that the proposal intends to allow closure of approximately 16 surface impoundments that manage coal combustion waste at eight coal-fired power plants.

Pursuant to a July 24, 2013 order staying proceedings for one year, the Board on February 14, 2014, received a status report stating that, in December 2013, Illinois Power Resources and Medina Valley “acquired ownership of, or indirect ownership interest in, the facilities that are the subject of this site-specific rulemaking.” Illinois Power Resources and Medina Valley also noted that the Agency had proposed generally-applicable rules in docket R 14-10.

On August 7, 2014, the Board extended the stay for one year. On December 17, 2015, the Board responded to a request by Illinois Power Resources and Medina Valley by extending the stay to March 16, 2016. In its April 21, 2016 order, the Board directed Illinois Power Resources and Medina Valley to file a status report by Monday, June 20, 2016. The Board noted that it recently extended a stay in R14-10 to June 15, 2016, at which time the Agency is to file a status report. The Board stated that a 60-day deadline would allow Illinois Power Resources and Medina Valley to consider the Agency’s report when submitting their report in this docket.

On May 19, 2016, in R14-10 the Board granted an unopposed motion and extended the stay for 30 days to July 15, 2016, at which time the Agency is to file a status report. To allow Illinois Power Resources and Medina Valley to consider that report, the Board extends the deadline for Illinois Power Resources and Medina Valley to file a status report in this docket to July 20, 2016. The Board will also accept comment from other participants or interested persons by the extended July 20, 2016 deadline.

If Illinois Power Resources and Medina Valley request an extension of the stay, the Board directs them to describe any continued need for a stay. *See* 35 Ill. Adm. Code 101.514(a). If the Board does not receive a status report from Illinois Power Resources and Medina Valley by July 20, 2016, it may issue an order dismissing the rulemaking proposal and closing this docket.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 2, 2016, by a vote of 5-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal flourish extending to the right.

John T. Therriault, Clerk
Illinois Pollution Control Board