

ILLINOIS POLLUTION CONTROL BOARD  
February 2, 2017

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, SUBPART B )

ORDER OF THE BOARD (by G. M. Keenan):

On April 9, 2013, Ameren Energy Resources proposed rules for the closure of coal combustion waste surface impoundments at eight coal-fired power plants. The Illinois Environmental Protection Agency (IEPA) then proposed generally applicable rules in docket R14-10. Noting IEPA's July 15, 2016 motion to amend its proposal, Illinois Power Resources, LLC (IPR) and AmerenEnergy Medina Valley Cogen, LLC (Medina Valley)<sup>1</sup> now request that the Board extend a stay in this docket "until there is better clarity regarding the direction of docket R14-10." Site-Specific Rule for the Closure of Ameren Company Ash Ponds: Proposed New 35 Ill. Adm. Code 840, Subpart B, R13-19 (July 20, 2016) (status report). The Board received no response to the request. On January 20, 2017, a Board hearing officer order in R14-10 directed IEPA to respond to specific questions and provide updated information and welcomed responses from other participants.

Under these circumstances and to conserve resources, the Board extends the stay of this site-specific rulemaking proceeding for six months, through August 2, 2017, unless the Board before that date issues an order terminating the stay. *See* Proposed Amendments to Tiered Approach to Corrective Action Objectives (TACO): 35 Ill. Adm. Code 742, R09-9, slip op. at 3 (Nov. 5, 2009). The Board directs IPR and Medina Valley at the conclusion of the extended stay to file a status report briefly describing the progress of this docket. If IPR and Medina Valley request an additional extension of the stay, the Board directs them to describe any need for the extension. *See* 35 Ill. Adm. Code 101.514(a). If the Board does not receive a status report from IPR and Medina Valley by August 2, 2017, it may issue an order dismissing the rulemaking proposal and closing this docket. If IPR and Medina Valley wish to have the Board terminate the stay before August 2, 2017, they may file a motion to that effect.

IT IS SO ORDERED.

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<sup>1</sup> In December 2013, IPR and Medina Valley "acquired ownership of, or indirect ownership interest in, the facilities that are the subject of this site-specific rulemaking." Site-Specific Rule for the Closure of Ameren Company Ash Ponds: Proposed New 35 Ill. Adm. Code 840, Subpart B, R13-19 (Feb. 14, 2014) (status report).

I, Don A. Brown, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 2, 2017, by a vote of 5-0.

A handwritten signature in black ink that reads "Don A. Brown". The signature is written in a cursive style with a large, circular initial "D".

Don A. Brown, Assistant Clerk  
Illinois Pollution Control Board