

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)	
)	
)	
STANDARD FOR THE DISPOSAL OF)	R2020-019 (A)
COAL COMBUSTION RESIDUALS)	(Rulemaking - Land)
IN SURFACE IMPOUNDMENTS:)	
PROPOSED NEW 35 ILL. ADMIN.)	
CODE 845)	
)	
)	
)	

NOTICE OF ELECTRONIC FILING

To: Attached Service List

PLEASE TAKE NOTICE that on April 5, 2022, I electronically filed with the Clerk of the Illinois Pollution Control Board (“Board”) the Environmental Groups’ **MOTION FOR LEAVE FOR ALL PARTICIPANTS TO FILE RESPONSE COMMENTS**, copies of which are served on you along with this notice.

Dated: April 5, 2022

Respectfully Submitted,

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STANDARDS FOR THE DISPOSAL) R2020-019 (A)
OF COAL COMBUSTION RESIDUALS) (Rulemaking – Land)
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MOTION FOR LEAVE FOR ALL PARTICIPANTS TO FILE RESPONSE COMMENTS

The Environmental Law & Policy Center (“ELPC”), Little Village Environmental Justice Organization (“LVEJO”), Prairie Rivers Network (“PRN”), and Sierra Club (collectively, “Environmental Groups” or “Commenters”) respectfully move for leave for all participants to file comments in response to the initial comments on Environmental Groups’ Proposed Rules, due June 3, 2022. In support of that Motion, Environmental Groups state as follows:

1. On May 6, 2021, the Illinois Pollution Control Board (“Board”) issued an order directing that this subdocket be opened and requesting comments, information, and proposed rules on the four topics addressed in this subdocket.
2. On August 6, 2021, Environmental Groups filed with the Board their comments and proposed rules on the four issues to be addressed in the subdocket. *See* PC #10. No other participant in the subdocket filed proposed rules.
3. No participant in this subdocket has yet responded to the comments or proposed rules filed by Environmental Groups on August 6, 2021.
4. In an order issued on March 3, 2022, the Board invited participants in this subdocket to comment on Environmental Groups’ proposed rules by June 3, 2022.
5. Environmental Groups submit that the record will offer a more robust, comprehensive evaluation of those proposed rules if participants may review other participants’ comments on Environmental Groups’ proposed rules and respond to those comments. Environmental Groups request a 60-day window for participants to review and comment on each other’s comments, with a deadline for responsive comments on August 2, 2022.
6. Environmental Groups have conferred with counsel for several participants in this subdocket, and counsel for Illinois EPA (“IEPA”) stated that IEPA takes no position on this motion, as did counsel for Ameren.

Accordingly, Environmental Groups respectfully request that the Board set a deadline of August 2, 2022, for participants to file comments in response to comments filed on June 3, 2022.

Dated: April 5, 2022

Respectfully Submitted,

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CERTIFICATE OF SERVICE

The undersigned, Jennifer Cassel, an attorney, certifies that I have served by email the Clerk and by email the individuals with email addresses named on the Service List provided on the Board's website, *available at <https://pcb.illinois.gov/Cases/GetCaseDetailsById?caseId=16975>*, a true and correct copy of the **MOTION FOR LEAVE FOR ALL PARTICIPANTS TO FILE RESPONSE COMMENTS**, before 5 p.m. Central Time on April 5, 2022. The number of pages in the email transmission is 8 pages.

Dated: April 5, 2022

Respectfully Submitted,

/s/ Jennifer Cassel

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