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Heart of Illinois Group



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May 24, 2012

To: The Illinois Pollution Control Board

Regarding: Ameren Request to Transfer Air Pollution Variance to Dynegy  
Docket No. PCB 2012-126

On behalf of its nearly 900 members throughout central Illinois, including several hundred in the Peoria metropolitan area and surrounding counties either in close proximity to the Ameren E.G. Edwards power plant, Bartonville, Peoria County, or in the downwind range of the Ameren Duck Creek power plant, near Canton, Fulton County, Heart of Illinois Group Sierra Club urgently requests that the Illinois Pollution Control Board deny the pollution variance request regarding Ameren's transfer to Dynegy.

It is our understanding that the variance the Illinois Pollution Control Board awarded to Ameren was never intended to be transferable and we question if indeed it can legally be transferred. We ask that the Illinois Pollution Control Board require that Dynegy apply for a new variance so that the Dynegy financials and reasons for needing a variance can be fairly assessed by the Illinois Pollution Control Board. Your variance was awarded to Ameren because of Ameren's specific pleadings. It is not understandable to Heart of Illinois Group Sierra how the Board can assume Dynegy's justifications for a variance are the same as Ameren's. What will require Dynegy to keep the Ameren workers at the power plants if Dynegy is given the variance? It appears to us that key parts of Ameren's arguments for the variance cannot be assumed for Dynegy. We respectfully submit that Dynegy should be required to make their own case and apply for their own variance.

No public hearing has been held on this attempt to let Dynegy take over the Ameren pollution variance. We have not had an opportunity to publicly express our dismay and outrage that just months after Ameren pleaded economic hardship to obtain more years of delay in meeting air pollution regulations, they are now wanting to transfer this non-transferable variance to Dynegy. We question if the Ameren variance was obtained with the company knowing full well they were in negotiations to transfer their plants and that the comments Ameren made to the Illinois Pollution Control Board and complaints of economic hardship were being done as another arm of Ameren was working on a deal with Dynegy. We sincerely hope that the Illinois Pollution Control Board clarifies from Ameren the timeline for their exchange of coal-fired power plants to Dynegy. If Ameren was obtaining the variances knowing that the plants were to be soon transferred that really does not seem ethical and should not be awarded with a hand-over of the Ameren variance.

We respectfully submit that Dynegy should be required to present the specific reasons that they as a company cannot comply with the air pollution requirements of the law. A full assessment of the Dynegy

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economic statement and reasons for requesting it should be considered before they are given a variance. We respectfully submit that Dynegy should be required to have a timeline for upgrades to the plants. We respectfully point out that the fleet reductions of SO<sub>2</sub> averaged out, do not help us in the impacted air zones near these active plants. We specifically ask the Pollution Control Board to consider the health and environmental impacts of these power plants and that they do cause illness, asthma attacks, and many negative ongoing environmental effects on their local areas.

We think there should be a comparative economic analysis done for the added public and private health costs from the pollution these plants will emit. There is also no comparative economic chart on the local, state, and planetary environmental costs of the pollution these plants will emit.

Since your Board awarded the Ameren variances, the federal Environmental Protection Agency is recommending that the township where the Ameren E.D. Edwards plant is located near Peoria, be put into non-attainment for criteria air pollutants. The Illinois EPA did not take action to do this, and the assessment by U.S. EPA showed such high levels of pollutants that EPA is proceeding with the non-attainment assessment. This will have an economic effect on the Bartonville and southern Peoria county location where the E .D. Edwards plant is located. Not long ago a fertilizer plant was considering the area. We respectfully request that the Illinois Pollution Control Board look at the air pollution impacts in the local areas where these five Ameren plants are located. We think Dynegy should reapply for a variance because there have been significant changes in local circumstances since Ameren obtained the variance. In some areas unemployment numbers appear to be improved.

A health costs report commissioned by the Clean Air Task Force in 2010 to quantify deaths and health costs from coal-fired power plants was used to extrapolate the death and health costs of the E. D. Edwards plant near where I live. It stated that the 2010 costs of the E.D. Edwards plant are calculated at over \$60 million, including 7 deaths, 10 heart attacks, 110 asthma attacks, 5 other hospital admissions, 4 chronic bronchitis, and 7 asthma ER visits.<sup>1</sup>

Several of the Ameren plants have long histories of permit compliance issues. If a new company is taking over these plants, they should be required to show some assurance that they will not continue the sorry legacy of permit violations that Ameren has recorded over the years.

We are concerned about this variance transfer because sulfur dioxide has a one hour limit and short term exposure locally is a serious health issue. The averaging of tens of thousands of additional tons over several years is not really protective of the local public near these power plants. We are concerned about the continued public health impacts during the short term exposure spikes in emissions that could occur through the years of the proposed variance delays. We think there are added concerns for locations such as the Illinois River valley near Peoria, because of the topography and winds. we respectfully submit that the Peoria metropolitan area impacts that will result from the variance pollution upgrades delay for Ameren need consideration. We do not want a different company to be able to continue polluting our area without at least having to make some rational as to why they cannot upgrade the plants on a specific time table with specific air quality benchmarks to show demonstrated progress.

Heart of Illinois Group Sierra Club sees particular problems with the proposed transfer of the Ameren variance because of concerns on the legality of this transfer, that no public hearings

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<sup>1</sup> "Death and disease attributable to fine particle pollution from Edwards," Edwards Generation Plant, SourceWatch, July 25, 2012, [http://www.sourcewatch.org/index.php?title=Edwards\\_Generation\\_Plant](http://www.sourcewatch.org/index.php?title=Edwards_Generation_Plant)

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have been held; that there is no data or information regarding the reasons Dynegy needs such a long variance and cannot meet standards sooner or what the Dynegy time-schedule will be for installing plant upgrades; and the locally significant health and environmental impacts ongoing from these violating power plants. We see important changes in our local area since the Ameren variance was awarded because of the non-attainment consideration by federal EPA for the Ameren E. D. Edwards power plant and improvements in unemployment statistics. We are also concerned about air quality and quality of life and health in other parts of the state that will be affected if this variance is transferred. We ask the Illinois Pollution Control Board to deny this variance request.

Sincerely,  
Joyce Blumenshine  
Chair