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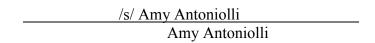
## BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

# **NOTICE OF FILING**

To: ALL PARTIES ON THE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **QUARTERLY STATUS UPDATE**, copies of which are herewith served upon you.



Dated: February 10, 2015

Renee Cipriano Amy Antoniolli SCHIFF HARDIN LLP 233 South Wacker Drive Suite 6600 Chicago, Illinois 60606 312-258-5500 Electronic Filing - Received, Clerk's Office: 02/10/2015

#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:	)	
	)	
SITE-SPECIFIC RULE FOR THE	)	R13-19
CLOSURE OF AMEREN COMPANY	)	(Rulemaking – Land)
ASH PONDS: PROPOSED NEW 35	)	
ILL. ADM. CODE 840, SUBPART B	)	

### **QUARTERLY STATUS UPDATE**

NOW COME, AmerenEnergy Medina Valley Cogen, LLC ("Medina Valley"), and Illinois Power Resources, LLC ("IPR"), together by and through their attorneys, Schiff Hardin LLP, and pursuant to 35 Ill. Adm. Code 102.400 and 101.Subpart C. On July 25, 2013, the Illinois Pollution Control Board ("Board") granted a request for a stay of this site-specific rulemaking during the development and pendency of a separate rulemaking proposal to be filed by the Illinois Environmental Protection Agency ("IEPA"). On October 28, 2013, IEPA filed a proposal for a generally-applicable rule regarding groundwater monitoring, corrective action, and the closure of coal combustion waste surface impoundments at power generating facilities. *In the Matter of Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841*, R14-10. On August 7, 2014, the Board granted a request by Medina Valley and IPR to extend the stay for an additional year, ending on August 7, 2015. The Board directed the proponents to file quarterly status reports during the additional one-year term of the stay, describing the continued need for stay.

Both IPR and Medina Valley continue to review the filings, testimony and developments in docket R14-10. Most recently in R14-10, IEPA requested a 90-day stay of the rulemaking while it evaluates whether changes to IEPA's proposal are necessary as a result of newly adopted federal criteria for coal combustion residuals surface impoundments. IPR and

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Medina Valley respectfully request that the Board continue to maintain the stay of this docket until such time as more certainty develops with respect to the general rule

Respectfully submitted,

Illinois Power Resources, LLC and AmerenEnergy Medina Valley Cogen, LLC,

by: /s/ Amy Antoniolli

Amy Antoniolli

Dated: February 10, 2015

Renee Cipriano Amy Antoniolli SCHIFF HARDIN LLP 233 South Wacker Drive, Suite 6600 Chicago, Illinois 60606

Tel: 312-258-5500 Fax: 312-258-5600 Electronic Filing - Received, Clerk's Office: 02/10/2015

#### CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 10<sup>th</sup> day of February, 2015, I have electronically served the attached **QUARTERLY STATUS UPDATE**, upon the following persons:

John Therriault, Clerk of the Board Tim Fox, Hearing Officer Illinois Pollution Control Board James R. Thompson Center Suite 11-500 100 West Randolph Chicago, Illinois 60601

and by first class mail, postage affixed, upon:

Joanne Olson Division of Legal Counsel Illinois Environmental Protection Agency 1021 North Grand Avenue, East P.O. Box 19276 Springfield, Illinois 62794-9276

Office of Legal Services Illinois Department of Natural Resources One Natural Resources Way Springfield IL 62702-1271

Mark Bilut McDermott, Will & Emery Grand Tower Energy Center, LLC 227 West Monroe Street Chicago, IL 60606 Andrew Armstrong
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35 East Wacker Drive, Suite 1600
Chicago, IL 60601

Division Chief of Environmental Enforcement Office of the Attorney General 100 West Randolph St., Suite 1200 Chicago IL 60601

/s/ Amy Antoniolli Amy Antoniolli

Renee Cipriano Amy Antoniolli SCHIFF HARDIN LLP 233 South Wacker Drive, Suite 6600 Chicago, Illinois 60606 312-258-5500 Electronic Filing - Received, Clerk's Office : 02/10/2015

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office of Legal Services Illinois Department of Natural Resources One Natural Resources Way Springfield IL 62702-1271	Division Chief of Environmental Enforcement Office of the Attorney General 100 West Randolph St., Suite 1200 Chicago IL 60601	
Andrew Armstrong Faith E. Bugel Jennifer L. Cassel Jessica Dexter Environmental Law and Policy Center 35 East Wacker Drive, Suite 1600 Chicago, IL 60601	Mark Bilut McDermott, Will & Emery Grand Tower Energy Center, LLC 227 West Monroe Street Chicago, IL 60606	