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SPRINGFIELD, ILLINOIS 62706



STATE OF ILLINOIS
99TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES

CAROL AMMONS
STATE REPRESENTATIVE
103RD DISTRICT

September 30, 2015

John Therriault, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601



RE: Coal Combustion Waste (CCW) Ash Ponds and Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841 (R14-10)

Illinois Pollution Control Board members:

On May 7, 2015, the Board granted an unopposed motion by the Illinois Environmental Protection Agency for a 90-day stay in the R14-10 rulemaking. On August 5, 2015, the Agency filed a motion to extend the stay indefinitely to allow for resolution of legal and legislative action on recently-published federal rules. I strongly urge the Board not to stay the proceeding on proposed Illinois coal ash rules.

The threat from leaking and unstable coal ash pits is particularly severe in Illinois, which is home to 91 coal ash pits. When pollutants like arsenic, chromium, lead, and mercury enter our drinking water, rivers, and streams, they harm human health, aquatic life, and our economy.

While federal rules addressing the threats from coal ash disposal were adopted by the United States Environmental Protection Agency on April 17, 2015, and will begin to come into effect this year, our state faces pollution issues that illustrate the need for additional Illinois-specific safeguards.

The federal coal ash rules do not address compliance with Illinois groundwater or surface water quality standards, nor do they help to ensure corrective actions and coal ash pit closure in compliance with Illinois standards.

Moreover, the federal rules do not apply to coal ash impoundments located at now-shuttered power generating facilities. Illinois waters and nearby communities are threatened by several of these "legacy" pits, which state rules would provide a framework to address.

Finally, Illinois rules provide an opportunity to include financial assurances, as recommended by the Illinois Attorney General's office, to ensure that Illinois taxpayers are not left to cover



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clean-up and closure costs, which should be the responsibility of the owners and operators of these facilities.

Recognizing ongoing threats in Illinois, and the federal rules inability to comprehensively address issues in our state, I encourage the Board to proceed with the R14-10 rulemaking and adopt state rules in this matter as soon as possible.

Sincerely,

A handwritten signature in black ink that reads "Carol Ammons". The signature is written in a cursive, flowing style.

Representative Carol Ammons