

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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APR 03 2008  
STATE OF ILLINOIS  
Pollution Control Board

AMEREN ENERGY GENERATING )  
COMPANY, )  
Petitioner, )  
 )  
v. )  
ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
Respondent. )

PCB 08- 61  
(CCW Beneficial Use Determination –  
Ninety Day Extension)

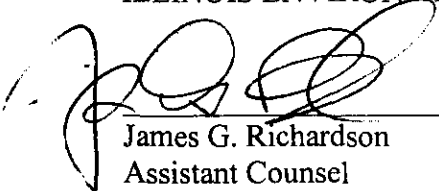
NOTICE

John Therriault  
Assistant Clerk  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601-3218

Amy C. Antonioli  
Schiff Hardin LLP  
6600 Sears Tower  
Chicago, Illinois 60606

PLEASE TAKE NOTICE that I have today caused to be filed a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD with the Illinois Pollution Control Board, copies of which are served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

  
James G. Richardson  
Assistant Counsel

Dated: April 1, 2008  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER

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**REQUEST FOR NINETY DAY EXTENSION  
OF APPEAL PERIOD**

NOW COMES the Respondent, the Illinois Environmental Protection Agency ("Illinois EPA"), by one of its attorneys, James G. Richardson, Assistant Counsel, and, pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208, hereby requests that the Illinois Pollution Control Board ("Board") grant an extension of the thirty-five (35) day period for petitioning for a hearing to July 6, 2008, or any other date not more than a total of one hundred twenty-five (125) days from the date of receipt of the Illinois EPA's final decision. In support thereof, the Illinois EPA respectfully states as follows:

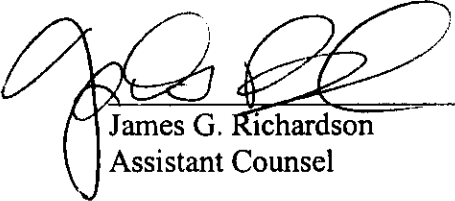
1. On February 29, 2008, the Illinois EPA issued a final decision to the Petitioner.
2. On March 27, 2008, the Petitioner made a written request to the Illinois EPA for an extension of time by which to file a petition for review, asking the Illinois EPA to join in requesting that the Board extend the thirty-five day period for filing a petition by ninety days. Upon information and belief the Petitioner did receive the final decision on March 3, 2008.

3. The additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.

WHEREFORE, for the reasons stated above, the parties request that the Board, in the interest of administrative and judicial economy, grant this request for a ninety-day extension of the thirty-five day period for petitioning for a hearing.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



James G. Richardson  
Assistant Counsel

Dated: April 1, 2008

1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544  
217/782-9143 (TDD)

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

101 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62719-0276 • 217/782-3307
James R. Thompson, County Executive, 101 West Riverside Street, 6th Floor, Springfield, Illinois 62761 • 217/511-6116
REG. R. BLANCHARD, Chairman, 101 North Grand Avenue East, Springfield, Illinois 62761 • 217/782-3300

217-524-3300

February 29, 2008

Certified Mail

7607 0220 0000 0039 3403

Paul R. Pike
Ameren Services
1901 Chouteau Avenue
PO Box 66149
St. Louis, Missouri 63166-6149

Re: 1370305002 – Morgan County
Ameren CIPS
Log No. 2007-462-CCB
Expiration Date: February 29, 2008
Solid Waste Permits
Permit Approval

Dear Mr. Pike:

A beneficial use determination is hereby granted to Ameren Services for the use of coal combustion by-product (CCB). The determination is limited to CCB produced at the Meredosia Power Station from the combustion of coal used in the generation of electricity. The CCB will be used as structural fill in the construction of three roads at the Ameren Energy Generating Company Meredosia Power Station.

The application approved by this determination consists of the following documents:

Table with 3 columns: DOCUMENT, DATED, DATE RECEIVED. Rows include Original Application, Additional Information, and Additional Information with their respective dates.

Final plans, specifications, application, and supporting documents, as submitted and approved, shall constitute part of this determination and are identified on the records of the Illinois Environmental Protection Agency, Bureau of Land, Division of Land Pollution Control by the log number designated in the heading above.

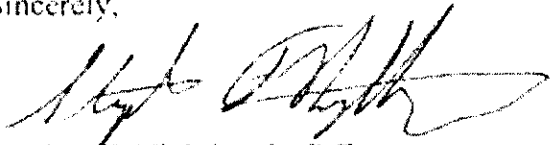
The determination is issued subject to the following special conditions. In case of conflict between the determination application referenced above and these conditions, the conditions of this determination shall govern.

1. The placement and end use of the CCB shall not cause, threaten, or allow the discharge of any contaminant into the environment.
2. The placement and end use must protect human health and safety and the environment.
3. The approval of this beneficial use shall become effective February 29, 2008 and remain effective until February 28, 2013. Should construction of the roadways not be completed within 5 years of the date of this permit, a request for an extension may be submitted.
4. Construction of all three roads must be completed within four months from the date construction began. Ameren shall keep daily construction logs to document the start of the project and completion dates.
5. The edge of the asphalt road surface must extend at least 6 inches past the vertical edge of CCB structural fill placed beneath the road as structural fill.
6. The asphalt roadway embankment and road shoulders must be inspected annually. The surface must be maintained and all cracks, potholes and erosion shall be repaired at least annually. At no time may the CCB placed within the completed road be exposed.
7. CCB may not be used in any way for construction of the side slopes of the road. Fill beneath the side slopes must be clean compacted soil, not CCB.
8. This determination is subject to review and modification by the Illinois EPA as deemed necessary to fulfill the intent and purpose of the Environmental Protection Act, and all applicable environmental rules and regulations.
9. Any application for renewal must be submitted 90 days prior to the expiration date.
10. Coal combustion waste used in accordance with this determination shall be considered CCB during the effective period of this approval as long as it is used in accordance with the conditions described above.
11. This beneficial use determination does not authorize the use of CCB beyond the expiration date. All structural fill placed during the authorization period shall comply with all terms and conditions of this determination. After expiration of this beneficial use determination, failure to maintain the structural fill and cover in accordance with the terms and conditions of this determination may result in a violation of section 21(a) of the Illinois Environmental Protection Act.

that laws within the scope and definitions of these laws must be performed in compliance with them. The Illinois EPA may refer any discovered violation of these laws to the appropriate regulating authority.

Within 35 days of the date of mailing of the Illinois EPA's final decision, the applicant may petition for a hearing before the Illinois Pollution Control Board to contest the decision of the Illinois EPA, however, the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed ninety days by written notice provided to the Board from the applicant and the Illinois EPA within the 35-day appeal period.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen F. Nightingale". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Stephen F. Nightingale, P.E.  
Manager, Permit Section  
Bureau of Land

SFN:MER/mls/083061s.doc

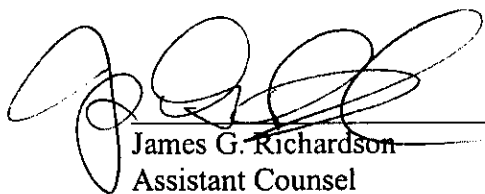
## CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on April 1, 2008 I served true and correct copies of a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD by first class mail of the United States Postal Service upon the persons as follows:

John Therriault  
Assistant Clerk  
Illinois Pollution Control Board  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601-3218

Amy C. Antonioli  
Schiff Hardin LLP  
6600 Sears Tower  
Chicago, Illinois 60606

## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



James G. Richardson  
Assistant Counsel  
Division of Legal Counsel  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
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217/782-9143 (TDD)