

## **Board Grants Stay of Coal Combustion Waste Impoundments Rulemaking (R14-10)**

On May 7, 2015, the Board granted a motion by the Illinois Environmental Protection Agency (Agency) for a 90-day stay of R14-10, Coal Combustion Waste (CCW) Surface Impoundments at Power Generating Facilities: Proposed New 35 Ill. Adm. Code 841. The Board also directed the Agency to file a status report at the end of the stay.

On October 28, 2013, the Illinois Environmental Protection Agency (Agency) filed a proposal to add Part 841 entitled “Coal Combustion Waste Surface Impoundments at Power Generating Facilities” to the Board’s Subtitle G waste disposal regulations. The Agency proposed generally applicable rules establishing processes to monitor these impoundments and for preventive response, corrective action, and closure.

The Agency’s motion stated that the United States Environmental Protection Agency (USEPA) finalized rules for disposal of coal combustion residuals (CCR) from electric utilities on December 19, 2014. The Agency indicated that the federal rules are similar but not identical to proposed rules submitted to the Board in this docket. The USEPA rules were published on April 17, 2014 and will become effective six months after that date on October 14, 2015. 80 Fed. Reg. 21302-21501 (Apr. 17, 2005). The Agency sought a 90-day so that it could evaluate whether it was necessary to change its proposed state rules.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board’s Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us) and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk’s office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].