

ILLINOIS POLLUTION CONTROL BOARD  
October 15, 2015

BENEFICIAL REUSE MANAGEMENT, LLC )  
AND SOUTHERN ILLINOIS POWER )  
COOPERATIVE, )  
)  
Petitioners, )  
)  
v. ) PCB 12-23  
) (Permit Appeal - Water)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
)  
Respondent. )

ORDER OF THE BOARD (by G.M. Keenan):

On July 28, 2011, Beneficial Reuse Management, LLC and Southern Illinois Power Cooperative (collectively, petitioners) filed an appeal of a June 23, 2011 permit determination by the Illinois Environmental Protection Agency. The Agency's determination concerned flue gas desulfurization (FGD) gypsum, a coal combustion byproduct, produced at petitioners' coal-fired electric generating station located at 11543 Lake of Egypt Road in Marion, Williamson County. The petitioners have since waived the statutory decision date for their appeal. Most recently, on July 1, 2015, they filed their sixth waiver delaying the decision date.

State legislation signed on July 10, 2015, Public Act 99-0020, reclassifies FGD gypsum such that the petitioners no longer require a permit. The Agency withdrew and terminated the permit at issue on September 29, 2015. On October 2, 2015, the petitioners filed a voluntary and unopposed motion to dismiss the petition. The Board grants petitioners' motion for voluntary dismissal, dismisses the appeal, and closes the docket.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on October 15, 2015, by a vote of 5-0.



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John T. Therriault, Clerk  
Illinois Pollution Control Board