

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:) R18-20
)
AMENDMENTS TO 35 ILL. ADM.) (Rulemaking -
CODE 225.233 MULTI-POLLUTANT) Air)
STANDARD (MPS))

PUBLIC COMMENT

TRANSCRIPT OF PROCEEDINGS taken before
HEARING OFFICER MARIE TIPSORD, by Lisa Hahn Peterman,
CSR, RMR, a notary public within and for the County
of Macon and State of Illinois, at the offices of the
Illinois Environmental Protection Agency, 1021 North
Grand Avenue East, Springfield, Illinois, on the 29th
day of January, 2019, at 5:30 p.m.

* * * * *

1 A P P E A R A N C E S:

2 ILLINOIS POLLUTION CONTROL BOARD

James R. Thompson Center

3 100 West Randolph Street

Suite 11-500

4 Chicago, Illinois 60601-3233

312-814-6983

5 BY: MS. MARIE TIPSORD, HEARING OFFICER;

6

7 ILLINOIS POLLUTION CONTROL BOARD MEMBERS

8 PRESENT:

9 Ms. Katie Papadimitriu, Chairman

10 Ms. Brenda Carter, Board Member

11 Ms. Carrie Zalewski, Board Member

12 Ms. Cynthia Santos, Board Member

13 Ms. U-Jung Choe, Board Member

14

15 ALSO APPEARING:

16 MS. TANYA RABCZAK,

Attorney Advisor to Chair Papadimitriu

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1 HEARING OFFICER TIPSORD: I have 5:30,
2 so we're going to go ahead and start, and the order
3 I have is I'm going to begin with the first person
4 who e-mailed me that they wanted to speak, and
5 that's Susan Murray. Remember to say your name,
6 spell your name, and you get three minutes. Tanya
7 is our timekeeper, so she'll wave at you when your
8 time is up. Okay?

9 And before we really get started, I
10 want to thank you all for coming out on this very
11 cold evening. We look forward to your comments.
12 Thank you very much.

13 MS. MURRAY: My name is Susan Murray,
14 and that's S-U-S-A-N, M-U-R-R-A-Y. I'm from
15 Godfrey, Illinois. I am testifying today because I
16 believe that air pollution caused by burning coal
17 leads to physical suffering and economic hardship.
18 We need good rules to minimize the harm and
19 safeguard our communities.

20 I became involved with this issue
21 because I, myself, was diagnosed with asthma. This
22 was a great surprise to me. I had always been an
23 athlete and an outdoors person. I found myself
24 gradually becoming more and more short of breath.

1 I was no longer able to blow on glowing embers to
2 bring a campfire to life. Eventually, I couldn't
3 walk across a parking lot without stopping to catch
4 my breath. I was sent for a stress test, and then
5 more tests, and surprise -- asthma.

6 Having a science background, I wanted
7 to research for myself the link between fuel-fired
8 power plants and respiratory disease. You all are
9 undoubtedly far more familiar with all these
10 articles than I am, but I am going to cite one I
11 found in PubMed Central, National Institute of
12 Health, called "Residential Proximity to Fuel-Fired
13 Power Plants and Hospitalization Rate for
14 Respiratory Diseases." The results summary states
15 that after adjusting for age, sex, race, etc., they
16 found an 11 percent increase in the estimated rates
17 of hospitalization for asthma among individuals
18 more than ten years old living in a zip code
19 containing a fuel-fired power plant, compared with
20 one that had no power plant. That's
21 hospitalizations, not just incidents of the
22 disease. There was a 15 percent increase for acute
23 respiratory infection and a 17 percent increase for
24 COPD.

1 I can't know for certain that my asthma
2 is caused by my exposure to pollution from a
3 fuel-fired power plant, but what I do know is that
4 I was born in Minnesota, I was raised in Wisconsin.
5 I came to St. Louis to go to the university, never
6 had any problem breathing. Then I moved to Alton,
7 Illinois. My neighbors are the Sioux power plant
8 across the river in Missouri and the Wood River
9 Station in East Alton. I was diagnosed with asthma
10 after living in Illinois.

11 My asthma is pretty well controlled. I
12 use Breo Ellipta. It's a combination of an inhaled
13 corticosteroid and bronchodilator. Breo can cause
14 serious side effects, including pneumonia, weakened
15 immune system, increased blood pressure, and
16 osteoporosis. I have insurance, so I do not pay
17 full price. Not everybody who needs this
18 medication is so fortunate. It also can affect
19 your voice. You can hear my voice; I used to be
20 able to sing. I can't sing anymore.

21 I am testifying because I believe good
22 policy can minimize the impact of burning coal.
23 Illness caused by exposure to coal-burning
24 pollutants affects not only individuals, but also

1 communities. Communities are stronger when their
2 members are physically able to contribute.
3 Communities are stronger when their members are not
4 burdened by oppressive medical costs. Thank you.

5 HEARING OFFICER TIPSORD: Thank you
6 very much. Joyce Blumenshine?

7 MS. BLUMENSHINE: Thank you. My name
8 is Joyce Blumenshine, B-L-U-M-E-N-S-H-I-N-E. I'm
9 from Peoria, Illinois, and first, I want to give my
10 greatest thanks and appreciation to you, Hearing
11 Officer Tipsord, and each and every one of you
12 members of the Pollution Control Board.

13 To me, as a citizen who has been
14 involved in volunteer environmental activism, it's
15 very significant to me that (a), we have another
16 hearing; and (b), that you're all here to listen to
17 us yet again about our concerns for clean air for
18 Illinois, and we do appreciate your time and
19 efforts. You have really restored much of my hope
20 because the Illinois Pollution Control Board has
21 held this hearing. Your Control Board also issued
22 a revised rule and, to me, that says that, yes,
23 people can speak up, industry got to speak up, and
24 that there's a process that guarantees us that

1 there will be rational decisions, and that means
2 the world to me as a person. I want to thank you.
3 I'm from Peoria, as I said, and I had
4 a -- I'm going to digress slightly, but I had a
5 carful of people who wanted to come tonight, and,
6 amazingly, as the weather reports rolled in one by
7 one, one after another cancelled and I could just
8 feel my annoyance, you know, rising, and my dear,
9 dear, patient husband sees that, and he says, Maybe
10 you should go to the balcony. We don't have a
11 balcony, we live in a one-story ranch, but that is
12 his signal to me that it's time to step back, step
13 out of the thought I'm in and take the big picture
14 and overlook the issue, and, by golly, that helps
15 me personally, and I think now there is a chance to
16 do that again, and so the first thing I would like
17 ask -- and I just hope that the Pollution Control
18 Board will extend the request as was done by the
19 Illinois EPA to allow the Illinois EPA more time to
20 review your recommendations, because your team and
21 your scientists have made changes, and those, I'm
22 sure, will take time. I'm not a scientist, but I'm
23 sure there's a lot involved in that, so that would
24 be my first request to you tonight, please, to give

1 the Illinois EPA some additional time.

2 We thank you for the chance again yet,
3 of course, to write our comments, and I'm sure many
4 of the people who couldn't make it tonight will be
5 doing that.

6 For me in Peoria, the changes you made
7 are hopeful, but I have to ask, is that enough?
8 Because I realize for the 40 percent more pollution
9 that we might face in Peoria yet, I mean, I don't
10 know which of my friends that have asthma or other
11 individuals with health problems, I really worry
12 about that, and while this isn't under your
13 immediate purview, I really worry about our future
14 for every one of us and all the creatures because
15 we have this unusual weather and we know climate
16 change is happening, so that's not in the rules,
17 but I do ask for your consideration. Thank you.

18 HEARING OFFICER TIPSORD: Tracy Fox?

19 MS. FOX: My name is Tracy Fox. I'm a
20 volunteer with the Central Illinois Healthy
21 Community Alliance and Illinois People's Action. I
22 want to thank you for your ruling, taking a serious
23 look at the problems with the proposed move from a
24 rate-based to a flat-cap structure for the

1 Multi-Pollutant Standard, and I also want to
2 encourage you to let the Illinois EPA consideration
3 and grant them another 45 days to consider this
4 proposal. I hope that when they look at this
5 proposal, they will also revisit some of the
6 Illinois Pollution Control Board past decisions.

7 In December of 2006 and April of 2009,
8 this Board found that a rate-based standard was
9 both tactically feasible and economically
10 reasonable. I know the technology has not gotten
11 worse, so, certainly, the feasibility shouldn't be
12 in question, so I went and I dug through some of
13 the past proceedings, trying to get a handle on
14 whether or not there were truly new things that
15 called into question economic reasonableness of
16 what's been asked of Dynegy under the old
17 rate-based standard.

18 Now, in 2013, Dynegy agreed to comply
19 with the rate-based standard as a condition of
20 taking over the air pollution permits from Ameren
21 and assuming ownership of the fleet. Since then,
22 we haven't really seen any analysis whatsoever that
23 puts compliance costs as something that they
24 shouldn't have factored into their planning, and

1 when I look through some of the filings, it was
2 especially meaningful to me that there was no
3 explanation of why it couldn't complete pollution
4 control installations that should have been
5 factored into the business plan. There was no
6 explanation of what the actual costs of running the
7 clean plants were, what kind of a financial loss
8 that was. Was it pennies? Was it millions of
9 dollars? We don't know. The only thing that we do
10 know from SEC filings is that Dynegy has a positive
11 cash flow of 123 million dollars. So, to me, I
12 would feel like the economic reasonableness of
13 what's asked under the rate-based standard is
14 something that's never been contested, never been
15 challenged. So I hope that the Illinois EPA will
16 revisit that part of the analysis.

17 When I look at the numbers with the
18 tonnages of pollution, I'm very concerned, and I
19 understand that in the past two years, the amount
20 that they have actually emitted under the
21 rate-based standard has only approached 33,000 tons
22 of SO₂, as opposed to an over 40,000 number or
23 40 percent more under the flat cap.

24 So coming from a community like Peoria,

1 where we have a poor and minority population that
2 sits in the shadow of the plant, it is extremely
3 concerning to me that a flat cap proposal which
4 will allow Dynegy to run its dirtier plants at the
5 expense of its cleaner ones, precisely what they
6 tell you is happening, which is causing them to
7 lose money running those cleaner plants, is just
8 going to create more pollution hot spots, more
9 environmental issues in my community. Thank you.

10 HEARING OFFICER TIPSORD: Thank you.

11 Toni Oplt?

12 MS. OPLT: Good afternoon. My name is
13 Toni Oplt and I live in Edwardsville, Illinois,
14 just downstream from Dynegy's shuttered Wood River
15 power plant. I am grateful to this Board for
16 allowing the dialogue between community and
17 government to continue, as Dynegy's request for a
18 lowering of its MPS standard continues to be
19 debated.

20 The legacy of the Wood River plant
21 where I live is handed down in toxic waste, unlined
22 and unstable coal ash ponds, and the threat of a
23 human health crisis with the next major flood; yet,
24 Dynegy has never in the two-and-a-half years since

1 the plant's closure done anything to rectify this
2 dangerous situation. Still, the company continues
3 unabated to beg for favors it neither needs nor
4 deserves.

5 So even though this Board has worked to
6 improve Dynegy's original request, I am here today
7 to ask you to keep the MPS rate-based standard in
8 place, not just because climate change is real and
9 is here, though it surely is, not just because the
10 new proposed change will allow more than a
11 40 percent increase in air pollution, though it
12 surely will, I ask because I see opportunity and I
13 see hope ahead if we make the right choices.

14 Are you familiar with the economic and
15 social theorist, Jeremy Rifkin? Rifkin cautions
16 that, "If, in fact, the earth functions as a living
17 organism, then human activity that disrupts the
18 biochemistry of the organism can lead to grave
19 consequences." In Rifkin's mind, as well as in the
20 minds of the world's leading scientists, the
21 massive burning of fossil-fuel energy threatens a
22 radical shift in the climate of the earth and the
23 undermining of the biosphere that sustains all
24 living creatures, including living creatures in

1 Peoria and Wood River and other areas of Illinois
2 that live where coal plants are operated or remain
3 health hazards.

4 But, like Rifkin, I, myself, see
5 something else in this critical moment of time we
6 share. He says, "There are rare moments in history
7 when a generation of human beings are given a gift
8 to rearrange their relationship to one another and
9 to the world around them." I would argue that all
10 of us in this room and in this state are at such a
11 moment.

12 Last year, the Future Energy Jobs Act
13 cleared the way for one such shift: The phasing
14 out of our reliance on dirty fossil fuel by
15 systematically replacing it with clean green
16 energy. In addition, FEJA offers education, jobs,
17 and economic prosperity, allowing to us rearrange
18 our relationship with the world around us and with
19 each other in positive ways. FEJA is particularly
20 important to those who have so often been left
21 behind in terms of economic, social, and
22 environmental injustice, the most harmed by
23 companies like Dynegy.

24 There is a new administration in

1 Springfield as well that has pledged to support
2 FEJA and to reduce carbon emissions. Just last
3 week, Governor Pritzker committed to moving
4 Illinois to a one hundred percent green, clean
5 energy future and signed Illinois onto the U.S.
6 Climate Alliance. He sees hope, too, and I hope
7 you will and that you will use that idea to make
8 the right choice.

9 HEARING OFFICER TIPSORD: Thank you
10 very much.

11 I have had a Virginia Wolf-Bell on my
12 list, but someone crossed her name off. I just
13 want to be sure...

14 MEMBER OF THE PUBLIC: She's not here.

15 HEARING OFFICER TIPSORD: All right. I
16 just want to be sure.

17 That leads to us Chris Krusa.

18 MR. KRUSA: My name is Christopher E.
19 Krusa -- that's a long name --
20 C-H-R-I-S-T-O-P-H-E-R, E period, K-R-U-S-A.

21 I live in Glen Carbon. My wife and I
22 have been living there since 2007. The proposed
23 modification to the draft Multi-Pollutant Standard
24 for Dynegy-Vistra is personally concerning, as I

1 have been dealing with a pulmonary embolism issue
2 and my wife has been diagnosed with atrial
3 fibrillation.

4 I am an activist in Metro East to help
5 reduce carbon emissions, fight global warming, and
6 promote clean air. The risk and cost from air
7 pollution to us and other fellow citizens who have
8 heart and lung issues is unacceptable. The PCB's
9 modification, although an important check to
10 Governor Rauner's gutting of the original MPS
11 protections, still allows Dynegy-Vistra to increase
12 its dangerous coal pollution to 40 percent. The
13 MPS rate-based standard should be kept in place.
14 Thank you.

15 I am particularly concerned that IEPA
16 is still allowing this bailout proposal to be
17 considered at all. IEPA is the Illinois agency
18 that's supposed to protect our environment. Any
19 increase in coal power plant allowable emissions
20 flies in the face of the intent of the overall
21 provisions of the Future Energy Jobs Act, or FEJA.
22 FEJA is designed to promote and provide clean
23 energy. More dirty energy is an oxymoron. The
24 Clean Air Standard was created in 2006 to cut

1 dangerous pollution and protect public health. It
2 helps to reduce carbon emissions and fight global
3 warming. Any bailout for Dynegy-Vistra will
4 increase emissions and is unacceptable.

5 So I ask that the Pollution Control
6 Board make a decision to deny the Dynegy-Vistra
7 efforts to weaken the Multi-Pollutant Standards.

8 Thank you for having this additional
9 session. I know it's been going on for a long
10 time, but we from Metro East really appreciate the
11 fact that you are here and you're listening to our
12 concerns. Thank you.

13 HEARING OFFICER TIPSORD: Thank you.
14 Don Dieckmann, Deckman? Did I say that even close?

15 MR. DIECKMANN: My name is Don
16 Dieckmann, D-I-E-C-K-M-A-N-N.

17 Thank you again for allowing us to
18 speak on behalf of Illinois ratepayers and the
19 environment, both of which could be adversely
20 affected by the results of this hearing.

21 Throughout my childhood and
22 adolescence, I personally suffered from the effects
23 of pollution created by coal-burning power plants
24 in my area, starting with asthma in '55, one year

1 after the opening of the Wood River, Illinois,
2 plant a few miles upwind of my home.

3 Going from the frying pan to the fire,
4 I then moved back with my family to within a mile
5 of the CWLP plant here in Springfield, where my
6 asthma was exacerbated by bronchitis and virus
7 pneumonia. I'll never forget watching the news
8 about the Kennedy assassination from my hospital
9 bed when I was 13.

10 Fortunately, I was able to escape to
11 college five years later, but my family wasn't so
12 lucky. After they moved back to Wood River in '68,
13 I lost my father to heart disease, my mother, after
14 four bouts with cancer, and my younger brother to
15 an aneurism, all of which are attributable -- could
16 be attributable to their living close to two power
17 plants and an oil refinery most of their lives.

18 Partly because of this, I now chair the
19 Alton Sierra Club Piasa Palisades group's climate
20 and energy committee and belong to several other
21 environmental organizations. As such, I'm acutely
22 aware of how dirty energy providers are trying to
23 maintain or even increase their profits while
24 competing with cleaner and more energy efficient

1 sources, like renewables. Such is the case with
2 Dynegy-Vistra's pressuring the IEPA to lower its
3 pollution standards so they can keep running older,
4 dirtier, and cheaper power plants, while reserving
5 their newer, cleaner, and more expensive ones.
6 This will not only cost ratepayers more and kill
7 higher-wage jobs, but as the Chicago Tribune
8 reported, they could, I quote, emit nearly double
9 the amount of sulfur dioxide they emitted last
10 year.

11 We are already working to reverse the
12 damage done by the USEPA's previous administrator,
13 while waiting to see what his replacement may do.
14 Please, the current MPS rate-based standard should
15 be kept in place. The only changes that we should
16 be making to our air regulations are to strengthen
17 them, not to make them weaker. Thank you.

18 HEARING OFFICER TIPSORD: Sandy
19 Crawford?

20 MS. CRAWFORD: Hello. I'm Sandy
21 Crawford, S-A-N-D-Y, C-R-A-W-F-O-R-D. I live in
22 Godfrey and I'd like to thank the Board for the
23 opportunity to speak today about an issue that's
24 important to me and to my community.

1 As a school social worker in Alton,
2 early in my career, I was very surprised to learn
3 that we had so many children with asthma in our
4 schools. Those children missed more days of school
5 consistently, and that resulted in an educational
6 impact, as well as a health impact. Sadly, one of
7 our students died from an asthma attack several
8 years ago.

9 I looked at the Illinois Department of
10 Public Health's Illinois Childhood Asthma
11 Surveillance Report of 2011 to '14, and that
12 indicated that asthma hospitalization rates reached
13 as high as 65.5 hospitalizations per 10,000
14 children in Madison and St. Clair counties. That's
15 7.5 times the Healthy People 2020 objective.
16 Emergency department visit rates reached as high as
17 392 ED visits per 10,000, and that's 7.9 times the
18 Healthy People 2020 objective. Alton has a
19 recently retired coal-fired power plant along the
20 Mississippi, with another active coal plant sitting
21 right across the river in Missouri.

22 As a member of the local United
23 Congregations of the Metro East, I'm part of our
24 Caring for Creation Committee, and that aims to

1 address environmental issues from a faith-based and
2 social justice perspective. We understand that
3 decisions about reducing the limits on pollution
4 can impact a disease like asthma and have a serious
5 health impact, and that impact can affect some
6 communities more than others. I would hope that
7 the Board's decision would consider the impact on
8 the most vulnerable first and that they not be left
9 out of the equation when considering risks versus
10 benefits. Communities like Peoria should not be
11 left as a sacrifice zone, and I ask you to
12 reconsider the amendments that you made and return
13 to the original MPS rule.

14 Thank you for your consideration of
15 this request.

16 HEARING OFFICER TIPSORD: Thank you.
17 Libby Reuter?

18 MS. REUTER: Hi. My name is Libby
19 Reuter. First name is L-I-B-B-Y, last name,
20 R-E-U-T-E-R.

21 Many of the speakers have and will be
22 talking about the scientific facts and the personal
23 impact that additional pollution has had on them.
24 I'd like to tell a story that I think kind of

1 hopefully will add another dimension to this. It's
2 called raw flour.

3 There was a baker named Dinah -- her
4 friends called her Dee -- and she works making
5 cookies for a large company, but the company is
6 based in another town. The more cookies she makes,
7 the more money the company makes.

8 Dee sees a new notice written in all
9 capital letters on all the flour she buys. It
10 says, Cook before eating; flour is raw -- or Cook
11 before sneaking a taste, as this one says -- flour
12 is raw. This makes her wonder about how safe raw
13 flour is. You don't think about things like the
14 bread that you eat or the air that you breathe as
15 being dangerous. She's not worried because it's
16 not something that would cause cancer or lung
17 disease or harm a child's development -- or is it?

18 Well, Dee is a messy baker, and flour
19 is everywhere when she bakes, and she's tasked with
20 making more and more cookies to make more and more
21 money for out-of-town owners, so more and more
22 flour goes into the air and it comes out of her
23 industrial-sized exhaust fan and is in the air
24 around her shop.

1 The people who live close to the shop
2 start coughing more and more, and Dee says, It's
3 not enough to hurt you. Just stay inside if you're
4 an infant, if you're old, if you have a compromised
5 immune system, or asthma, or a heart condition.
6 Oh, and wash the plants from your garden really
7 well before you eat them and maybe you don't want
8 to eat fish from the local stream.

9 The wind blows the dust into nearby
10 towns. More and more people have trouble
11 breathing. People ask Dee, What's going to happen
12 as this dust accumulates? How much is too much?
13 Who's going to clean it up? Does anyone know how
14 to clean it up? Dee doesn't have any answers.

15 So the townspeople called for a
16 friendly giant named PCB, who lives in a big house
17 with a dome, and they asked him to put his big hat
18 on Dee's fan to stop the much-too-much raw flour in
19 the air. Epa says, No problem. Control is my
20 middle name. He doffs his hat, does his job, and
21 all the people breathe happily every after.

22 HEARING OFFICER TIPSORD: Thank you
23 very much. Peter Kovak? Peter?

24 MR. KOVAK: Hello. My name is Peter

1 Kovak, and that's P-E-T-E-R, K-O-V-A-K. I live in
2 Peoria, and I appreciate the opportunity to make
3 comments on Illinois Pollution Control Board's
4 proposed change in this rule. I'm here today
5 because the decisions made by the Board could have
6 a serious impact on my community.

7 If the rulemaking procedure is not
8 stopped, then the Edwards coal plant in my back
9 yard could be allowed to increase the level of
10 pollution that negatively affects my community.
11 For too long, government has enabled private profit
12 at the cost of our communities' health. For too
13 long, the voice of businesses have drowned out the
14 voices of our weary, our struggling, and our
15 working poor. Please consider me and my neighbors
16 whose health would be negatively impacted if action
17 is not taken.

18 Last week, our new governor announced
19 his commitment to reducing Illinois greenhouse
20 gases and the support to put our state on a path to
21 100 percent clean energy. As a millennial and a
22 proud Illinois resident, I believe we need to be
23 moving our state forward with stronger protections
24 on air pollution, not weaker.

1 This rulemaking was initiated under the
2 Rauner Administration, with heavy input from
3 Dynergy, and I ask the Board to halt this rulemaking
4 procedure and give the new governor time to bring
5 in stakeholders together in a fair way that places
6 the interests and needs of workers and our
7 environment above corporate interests and taxes.

8 Thank you once again for this
9 opportunity and for your consideration.

10 HEARING OFFICER TIPSORD: Pat Wagner?

11 MS. WAGNER: Hello. I'm Pat Wagner
12 from Peoria, Illinois. Pat, P-A-T, Wagner,
13 W-A-G-N-E-R.

14 I sincerely appreciate the effort and
15 attention you've given this very important issue,
16 and I really appreciate the time you've given us to
17 comment before your Board.

18 You have heard, or will hear, how the
19 current proposal arose from the bailout of the
20 Texas-based energy company, Dynergy-Vistra, which
21 enabled its use of outmoded coal plants and
22 potentiating the effects of the resultant coal
23 pollution, and while we're grateful for the changes
24 the Board has made, we consider it not enough

1 because, in all probability, it will not encourage
2 these unscrubbed, high-polluting coal plants to
3 install pollution controls, leaving surrounding
4 communities at yet a higher risk of inhaling
5 pollutants.

6 You will also hear, or have heard, how
7 communities/neighborhoods, such as the Peoria-Pekin
8 metro area are affected by a power company left
9 unchecked.

10 I have -- I was born and raised in
11 central Illinois and I've spent most of my life
12 there. The people of downstate Illinois have
13 complained for years and still continue to have
14 complained of being ignored by their state
15 government. They have seen a state government
16 which had catered to a faceless, out-of-state
17 corporation in pursuit of maintaining and
18 increasing their profit margins at the cost of the
19 health of the people of Illinois. They have seen a
20 government mired in and bound to the past, rather
21 than a government who looks creatively to the
22 challenges of the future in considering the needs
23 of all the people of downstate Illinois. This
24 administration may be brokering new grounds.

1 I ask you for consideration in your
2 decisionmaking careful time given to consideration
3 in your decisionmaking and of all the long-term
4 ramifications of your decision and the health of
5 the people of downstate Illinois.

6 I urge the Board to strengthen and
7 enforce their pollution regulations to hold
8 Dynegy-Vistra responsible to their customers and to
9 help protect the very air we all breathe. I
10 encourage you to all move boldly forward.

11 Thank you so much for your time.

12 HEARING OFFICER TIPSORD: Thank you.

13 Mary Ellen DeClue?

14 MS. DE CLUE: I'm Mary Ellen DeClue,
15 M-A-R-Y, E-L-L-E-N, D-E, capital C-L-U-E. I am a
16 clean air and clean water advocate for communities.
17 We all have to remember, whatever is in the air
18 ends up in our water resources.

19 I live in Litchfield, Illinois, near
20 the Coffeen coal-fired power plant operated by
21 Dynegy-Vistra. Over the 15 years that I have
22 resided in this area, I attended many public
23 meetings related to proposed exemptions, variances,
24 delays to Coffeen power plant complying with

1 emissions and environmental standards. To my
2 dismay, mercury toxicity was often treated in a
3 dismissive manner by the Coffeen power plant
4 moderator. Mercury is a neurotoxin, and when
5 millions of tons of coal are burned, negative
6 health impacts in communities are widespread. That
7 is why emission standards that lower the threat of
8 mercury pollution are essential for the health and
9 safety of the community. Clearly, oversight and
10 regulations are necessary.

11 Fortunately, the Pollution Control
12 Board in 2006 adopted the Multi-Pollutant Standard.
13 This landmark decision gave us protections from
14 mercury, sulphur dioxide, and nitrogen oxides.
15 This much-needed ruling has worked to lower risk
16 and does not need to be fixed or changed.

17 The Pollution Control Board has been
18 diligent in its recognition of harmful health
19 consequences of polluted air. Hopefully, Governor
20 Pritzker's support for clean air and water will
21 prevail. Illinois communities need and want clean
22 air and clean water. Any rule lowering standards
23 on mercury and sulfur and nitrogen oxides will not
24 provide for either. It would greatly harm -- be

1 harmful to the health and safety of communities.

2 Stop the rule change now, please.

3 I want to thank you for all of your
4 work in helping communities breathe cleaner air.
5 Thank you very much.

6 HEARING OFFICER TIPSORD:

7 Mr. Urbaszewski?

8 MR. URBASZEWSKI: Thank you.

9 My name's Brian Urbaszewski. I'm the
10 director of the environmental health programs for
11 the Respiratory Health Association, a non-profit
12 founded in 1906 in Chicago focused on lung health.

13 The original 2006 MPS rules were based
14 on a simple principle. Some of Dynegy-Vistra's
15 coal plants have scrubbers that remove most
16 lung-damaging pollutants, others don't, so the
17 rules required that if you run the dirty plants
18 without controls, you have to run the clean plants
19 to keep overall emissions lower by meeting a
20 specific average rate. The rate is ratcheted down
21 over time to protect the public.

22 But the changes proposed in 2017 would
23 have allowed the company to increase emissions by
24 24,000 tons. Thankfully, after the health impacts

1 became apparent, the Board modified and re-issued
2 it late last year, but in the end, that proposal
3 still allows nearly 14,000 tons more pollution than
4 what the plants actually emitted in 2017. It still
5 allows Dynegy-Vistra to close down its cleanest
6 coal plants and just run the dirty ones. If the
7 cleanest power plants were closed down and the
8 company made the same amount of electricity using
9 its dirty plants, the amount of air pollution would
10 be 40 percent higher.

11 Allowing such a large increase in
12 pollution threatens people's health. An analysis
13 last year found that together Dynegy-Vistra's coal
14 plants were responsible for 97 heart attacks, 1,085
15 asthma attacks, and over 165 premature deaths every
16 single year. Those are the plants located in
17 attainment areas. As a state, nobody wants those
18 terrifying and tragic events to be 40 percent
19 higher. We all want to keep people out of the
20 doctor's office, out of the hospital emergency
21 rooms, out of the morgue.

22 Please take the time to get this
23 decision right for the people of Illinois. The
24 people's health and their very lives are at stake.

1 Given the expanded concerns of the new
2 administration, the Illinois EPA has requested more
3 time in order to reexamine the proposed rule and
4 its anticipated effects. Please allow them the
5 time to do so. Thank you very much.

6 HEARING OFFICER TIPSORD: Thank you.

7 And I apologize in advance. I cannot
8 read the last name. Elizabeth -- the Elizabeth I
9 could get but I wasn't sure if it was a C-R.

10 MS. SCRAFFORD: I spell it wrong
11 sometimes myself.

12 I'm going to read someone else's
13 testimony, if that's okay.

14 My name is Elizabeth Scrafford, and I'm
15 an organizer with the Sierra Club. I live here in
16 Springfield and work with Sierra Club groups in
17 central and southern Illinois.

18 I'm going to give you the spelling
19 before I start because I'm not going to be able to
20 pronounce his name right.

21 MEMBER OF PUBLIC: Please spell your
22 name.

23 MS. SCRAFFORD: Well, my name is
24 S-C-R-A-F-F-O-R-D but I'm reading a statement on

1 behalf of Dr. Bapu Arekapudi, so I'm probably
2 saying that wrong, and I wanted to mention before I
3 started, there's a lot of people here for a cold
4 evening. I was getting e-mails and text messages
5 and phone calls from so many people that really
6 wanted to come and speak to you today but couldn't
7 because of the cold. I appreciate the fact that
8 you extended the public comment deadline until
9 March 15th, is my understanding, and I know that
10 you view public and oral comments the same, but as
11 you can probably understand, it means something to
12 come and stand here in this room with you and look
13 you in the eye and understand that you have a
14 chance to speak to the people that are making the
15 decisions. So, with that, I'll read the doctor's
16 statement.

17 As a pulmonologist and a public health
18 official who practiced for decades, I've seen
19 patients struggle to breathe. I did what I could
20 to help them by prescribing medications or
21 procedures or therapies to make their lungs work
22 the best they can, and as a past medical director
23 for tuberculosis control for the city of Chicago, I
24 also worked for years to ensure the public was

1 protected from dangerous lung diseases. I did not
2 take action that I knew would make patients'
3 asthma, or their COPD, or any other lung condition
4 they had worse. I did not push public health
5 policies that would have increased the number of
6 people contracting life-threatening infectious
7 diseases. That would have been a violation of the
8 Hippocratic Oath I took when becoming a doctor, Do
9 No Harm.

10 Now, I realize you are not doctors
11 treating patients. You have a different role to
12 play, but when it comes down to it, our jobs are
13 not that different. It is to keep Illinois
14 residents healthy, and the proposal you are now
15 considering will not improve Illinoisans' health.

16 We know that pollution from coal power
17 plants sickens and kills in the face of
18 overwhelming evidence that is not arguable, and the
19 rule you are proposing will allow the owner of this
20 fleet of coal plants to simply shut down the
21 cleanest ones and run the much more highly
22 polluting ones more. This is simply not right.
23 You would be changing the rule to allow a company
24 to increase emissions you know to be harmful to the

1 public and especially dangerous to already
2 vulnerable people living with the daily challenges
3 of lung disease.

4 I implore you to reconsider taking a
5 decision that could quickly result in 10,000 more
6 tons of air pollution being put into the air and
7 lungs of Illinois. I bear no ill will towards you
8 or the company, but as a doctor, I must advocate
9 for those who would be threatened by such an
10 action. Please halt this action and give Illinois
11 EPA more time to consider the implications of this
12 rule and to be able to advise and inform the
13 Board's action on this important decision. Thank
14 you.

15 HEARING OFFICER TIPSORD: Thank you.

16 Cory Chapman?

17 (No response.)

18 And Susan Murray and Chris Krusa have
19 both signed up again, so we've got them already.
20 So let me check and see if anyone else has signed
21 up, if there's anybody here who hasn't signed up
22 and wants to.

23 Pat Langley?

24 MS. LANGLEY: My name is Pat Langley,

1 P-A-T, L-A-N-G-L-E-Y. I'm a citizen and something
2 of an environmental activist.

3 I came here today to talk about some of
4 the economic costs of asthma, and you've already
5 heard all these stories from people who spoke
6 before me, the real impact of asthma on their
7 lungs.

8 The CDC just reported in this very
9 January that asthma in the United States costs
10 \$82 billion a year. That includes medical
11 expenses, costs associated with work, school,
12 absences and deaths. That's an underestimate
13 because they only count the people who get treated
14 for asthma. So the people who don't seek treatment
15 aren't even part of the equation.

16 The annual cost per person for
17 treatment is \$3,200 a year. If you have a child
18 and raise them for 18 years, you've spent \$50,000
19 for asthma treatment.

20 We know that there are race and class
21 issues around these -- around respiratory diseases.
22 The incidence of asthma is twice as high in black
23 children as in white children. The incidence of
24 asthma is 50 percent higher for children living in

1 poverty than those whose parents is twice the
2 poverty line, so we know who is disproportionately
3 hurt by these kinds of diseases.

4 We also know there's growing evidence,
5 at least that's being reported, that certain types
6 of air pollution are actually causing new onset of
7 asthma. So not just exacerbating attacks,
8 triggering attacks, but also causing it.

9 So, really, in some ways this is really
10 very simple. It comes down to health versus money
11 and it comes down to public health versus private
12 money. Do we want to increase the price of profit
13 that shareholders take home privately and ask the
14 public to suffer the human and economic
15 consequences of increased respiratory diseases?
16 It's really that simple. Should we, the public,
17 pay for private shareholders' profit and gain?

18 Thank you very much.

19 HEARING OFFICER TIPSORD: Thank you.

20 Rachael O'Reilly?

21 MS. O'REILLY: Hello. I'm Rachael
22 O'Reilly, R-A-C-H-A-E-L, O'-R-E-I-L-L-Y. I'm a
23 volunteer with Central Illinois Healthy Community
24 Alliance and a concerned earthling.

1 Tomorrow will be the most cold day ever
2 historically recorded in the Peoria area where I'm
3 from. As many of us stand here today imploring you
4 to prevent future disasters and promote
5 environmental justice, my thoughts and prayers are
6 that no sapient being suffers or dies in tomorrow's
7 freeze.

8 Just a few facts. The
9 Intergovernmental Panel on Climate Change says that
10 staying at or below 1.5 degrees Celsius will
11 require reducing greenhouse emissions 45 percent
12 from 2010 levels by 2030 and reaching net zero by
13 2050, reducing our current coal consumption by
14 one-third, a vast upscaling of technologies that
15 promote carbon dioxide directing from the air all
16 within the short timeframe of 12 years.

17 According to NASA, Earth's average
18 surface temperature has risen about 0.9 degrees
19 Celsius since the late 1800s. Most of the warming,
20 largely due to human-made emissions, has occurred
21 in the past 35 years, with the five warmest years
22 on record taking place since 2010. In addition,
23 eight of those 12 months in 2010 were historically
24 the warmest on record for the months.

1 Thank you so much. I'm very relieved
2 and grateful that you're reconsidering discarding
3 the annual cap and going back to the rate-based,
4 and also please think of yourself and your loved
5 ones where you'd like yourself and them to be
6 12 years from now because we are in a crisis.

7 Thank you so much.

8 HEARING OFFICER TIPSORD: And then
9 Ann -- is it Logue?

10 MS. LOGUE: Yeah. Ann Logue,
11 L-O-G-U-E.

12 I just wanted to say I was shocked when
13 I was got a notice that we were actually thinking
14 about allowing more sulphur into the atmosphere. I
15 mean, I'm from -- you know, I'm 62 years old and I
16 remember when we had acid rain issues, and I just
17 was really shocked, and I am grateful that you guys
18 are considering rolling that back.

19 Just to remind you, issues about sulfur
20 dioxide pollution, ocean acidification, global
21 shifts in rainfall patterns, ozone level
22 disruption, and, of course, what has been talked
23 about a lot tonight are the increased particulates
24 -- I can't say it -- particulates in the

1 atmosphere. We have also -- some people are saying
2 we have ten years to turn things around, and we had
3 a tornado in Taylorville, I think, just recently in
4 the wintertime, and that is particularly
5 disturbing. The overall global temperature is
6 rising with very unpredictable and extreme weather
7 patterns right now.

8 I think that -- you know, I'm a living
9 system, and I know that if I have, like, three
10 pieces of chocolate cake a day for ten years, I
11 think I'd begin to feel the effects. My joints
12 might be having some trouble keeping me alert and
13 walking, and we just can't consider continuing to
14 pour this stuff into the atmosphere and expect that
15 nothing is going to happen.

16 So, that being said, I just want to
17 thank you for having the hearing and just remember
18 that we do have a crisis and it is very real, and
19 it's supported by NASA and a lot of scientists
20 throughout the world. Thank you.

21 HEARING OFFICER TIPSORD: Thank you.

22 Rick Fox?

23 MR. FOX: Good afternoon. My name is
24 Rick Fox, R-I-C-K, F-O-X. I'm a member of the

1 Peoria Area Central Illinois Healthy Community
2 Alliance. I took a few hours off and got off work
3 early to be able to travel down here to Springfield
4 to ask you to grant the Illinois EPA's request for
5 time to reconsider this proposal in its entirety.

6 I hope the Illinois EPA upon
7 reevaluation will recognize that coal is
8 increasingly unprofitable and out-competed by
9 renewables and realign itself with Governor
10 Pritzker's vision of an Illinois powered by a
11 hundred percent clean energy.

12 Not once during the past ten years
13 would the current Multi-Pollutant Standard have
14 allowed Dynegy to emit pollution in the amount of
15 Illinois EPA's proposed caps of 49,000 tons of SO₂
16 and 25,000 tons of NO_x.

17 During the past two years, the only two
18 years during which Dynegy has actually been in
19 compliance, the current regulations held Dynegy's
20 emissions to 33,630 tons of SO₂ and 16,670 tons of
21 NO_x across its entire fleet.

22 It's pretty simple. There is no
23 reasonable way to look at the numbers and conclude
24 that Illinois EPA's proposed caps are anything but

1 a license to pollute more. By moving to flat
2 pollution caps, the revised proposal still makes it
3 possible to keep older, cheaper-to-run, dirty
4 plants running, while shutting down the newer, more
5 expensive-to-run plants with modern pollution
6 controls. In my community, this Multi-Pollutant
7 Standard change will have an impact measured in
8 lives.

9 Any rule which even holds the
10 possibility of creating pollution hot spots should
11 be firmly rejected. Please reject this one. Thank
12 you.

13 HEARING OFFICER TIPSORD: Raven Dodson?

14 MS. DODSON: Hi. My name is Raven
15 Dodson, R-A-V-E-N, D-O-D-S-O-N. I am a lifetime
16 Springfield resident. I was born and raised here.
17 I have three adult children, and two of my girls
18 each have children. We all have some level of
19 asthma. We all have neurological issues. Three of
20 my grandchildren are autistic. Two of them have
21 sensory processing disorder, which is neurological.

22 A lot of the toxins that we're aware
23 are a problem in our area cause these things. You
24 know, they contribute to it. These are the first

1 children in my family that have had these
2 disorders. The toxic effects, you probably know
3 from all of the stats and health information, do
4 pass on through generations. You know, you don't
5 just have one person get sick and clean it up and
6 there's no problem later, you know. What happens
7 is it stays in your system. It goes to your
8 children, it goes to their children. It can last
9 several generations until the problem's clean, you
10 know, and give those future generations a chance to
11 process all of the stuff out of their systems. You
12 know, it goes to a much deeper level than just a
13 few people getting sick here and there.

14 I grew up four miles away from CWLP,
15 where I spent most of my life, and I've lost family
16 members to heart problems, and like you heard, you
17 know, there was -- it can contribute to asthma and
18 heart problems, neurological problems, the mercury
19 content, you know, all of the toxin levels, and
20 it's kind of like a long time ago they used to make
21 hats, and in the hats there was a level of mercury,
22 and the mercury was used to cure the material, and
23 it was usually right up against the skin, and
24 people would go insane over a time, and they

1 figured out they were going insane because the
2 mercury was up against their skin from the hats, so
3 you get the term, "Mad as a Hatter." That's where
4 that comes from.

5 We know there's poison. We're aware of
6 it. The corporation's aware of it. It truth.
7 It's out there. There ain't no hiding it. So
8 we're at a turning point. We can either look to
9 have a future as a human race or not, and that's my
10 point. Please consider that with your decisions.

11 HEARING OFFICER TIPSORD: Thank you
12 very much.

13 Did anyone else sign up in the back?

14 Okay. I have about 6:24 and I have
15 said that people could sign up until 6:30, so let's
16 sort of just sit back for about ten minutes and
17 we'll see if anybody else comes in that wants to
18 speak, or if is there anyone else still here that
19 didn't sign up that would like to speak.

20 Okay. Let's give it about five to ten
21 minutes and we'll see where we're at.

22 (A brief recess was taken.)

23 Okay. Everyone, can I have your
24 attention, please? I have 6:35. Does anybody know

1 of someone who was planning on coming that is not
2 yet here?

3 Okay. All right. Well, then, I really
4 want to thank you all for coming tonight, and thank
5 you to all of you who notified me in advance, some
6 of you who notified me that you weren't going to be
7 able to make it tonight, so I appreciate it. We
8 really do appreciate your comments and everything
9 you have to say. We will take it under
10 consideration.

11 As most of you or some of you may have
12 heard, the public comment period in the rulemaking
13 is going to be open for about 45 days. I'll do a
14 Hearing Officer Order in the next couple of days
15 addressing specifically when the comment period
16 will close. Please continue to give us your
17 comments.

18 For people who couldn't make it
19 tonight, please tell them to let us know, send us
20 their comments. Most of you know how to do that
21 now. You've been doing it for over a year. But if
22 you have any questions, don't hesitate to call me
23 or the Clerk's office either one.

24 And does anybody have anything else?

1 One last chance. Anybody else?

2 Thank you very much.

3 (Hearing concluded at 6:39 p.m.)

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1 STATE OF ILLINOIS)
2 COUNTY OF MACON) SS

3
4
5 I, LISA HAHN PETERMAN, do hereby certify
6 that I am a Certified Shorthand Reporter and Notary
7 Public in the State of Illinois and that I reported
8 in shorthand the foregoing, taken on the 29th day of
9 January, 2019, and that the foregoing is a true and
10 correct transcript of my shorthand notes so taken.

11
12 I further certify that I am not of counsel
13 or an attorney for either of the parties to said
14 hearing, not related to nor interested in any of the
15 parties or their attorneys.

16
17 Dated this 4th day of February, 2019.

18
19 _____
20 Lisa Hahn Peterman, CSR, RMR
21 Illinois CSR #084.2149
22
23
24

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