

ILLINOIS POLLUTION CONTROL BOARD
June 3, 2021

IN THE MATTER OF:)
)
PETITION OF AMEREN ENERGY MEDINA) AS 21-8
VALLEY COGEN, LLC (OLD MEREDOSIA)) (Adjusted Standard - Land)
FOR ADJUSTED STANDARDS FROM 35)
ILL. ADM. CODE PART 845)

ORDER OF THE BOARD (by C.M. Santos):

On May 11, 2021, Ameren Energy Medina Valley Cogen, LLC (Ameren) filed a petition (Pet.) under Section 28.1 of the Environmental Protection Act (Act). *See* 415 ILCS 5/28.1 (2018); 35 Ill. Adm. Code 104.Subpart D. Ameren requests that the Board adopt adjusted standards from the Board’s recently-adopted rules for coal combustion residuals (CCR) surface impoundments at 35 Ill. Adm. Code 845. *See* Pet. at 4-5, 12. Ameren seeks this relief for its Old Ash Pond at the Meredosia Power Station in Morgan County.

The Act and Board rules require Ameren to publish notice of filing a petition for an adjusted standard in a newspaper of general circulation in the area likely to be affected by the petitioner’s activity that is the subject of the petition. 415 ILCS 5/28.1(d)(1) (2018); 35 Ill. Adm. Code 104.408(a). Ameren must publish notice within 14 days after filing a petition for an adjusted standard with the Board. 35 Ill. Adm. Code 104.408(a); *see* 415 ILCS 5/28.1(d)(1) (2018). As required by 35 Ill. Adm. Code 104.410, Ameren on May 26, 2021, timely filed a certificate of publication of notice in the *Jacksonville Journal-Courier* on May 19, 2021.

The Board finds that the notice and petition meet the requirements of Section 28.1 of the Act and Section 104.408 of the Board’s procedural rules and accepts the petition for adjusted standard. *See* 415 ILCS 5/28.1 (2018); 35 Ill. Adm. Code 104.408.

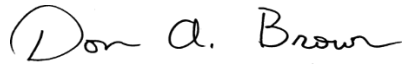
On May 21, 2021, IEPA filed a motion requesting that the Board extend the deadline to file its recommendation 90 days to September 23, 2021. *See* 35 Ill. Adm. Code 104.416(a). IEPA stated that eight petitions for an adjusted standard and three petitions for a variance from Part 845 were filed with the Board on May 11, 2021. Although it is now reviewing the petitions, IEPA requested additional time to develop its recommendations. IEPA added that Ameren did not object to the request. *See* 35 Ill. Adm. Code 104.416(a). The Board grants IEPA’s unopposed motion and extends the deadline to file its recommendation 90 days to September 23, 2021. Ameren may respond to IEPA’s recommendation within 14 days after being served with it. 35 Ill. Adm. Code 104.416(d).

Ameren’s petition states that it “recognizes the public interest relevant in this proceeding and does not intend to waive its right to hearing but will further and fully develop the facts contained in this Petition at hearing. . . .” Pet. at 20; *see* 35 Ill. Adm. Code 104.406(j), 104.422(a)(1).

This order makes no determination on the informational sufficiency or the merits of Ameren's petition. The Board through its own orders or its hearing officer's orders may direct Ameren to provide additional information.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 3, 2021, by a vote of 4-0.

Handwritten signature of Don A. Brown in cursive script.

Don A. Brown, Clerk
Illinois Pollution Control Board