

ILLINOIS POLLUTION CONTROL BOARD
June 17, 2021

IN THE MATTER OF:)
)
PETITION OF MIDWEST GENERATION,)
LLC FOR AN ADJUSTED STANDARD)
FROM 35 ILL. ADM. CODE 845.740(a) AND) AS 21-3
FINDING OF INAPPLICABILITY OF 35) (Adjusted Standard - Land)
ILL. ADM. CODE 845)

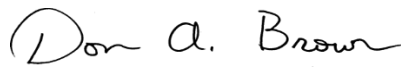
ORDER OF THE BOARD (by B. F. Currie):

On May 11, 2021, Midwest Generation, LLC (Midwest) filed a petition (Pet.) pursuant to Section 28.1 of the Environmental Protection Act (Act) and Part 104 of the Board's procedural rules. See 415 ILCS 5/28.1 (2018); 35 Ill. Adm. Code 104 Subpart D. Midwest petitioned the Board for an adjusted standard from Part 845 Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments. 35 Ill. Adm. Code 845. Within that petition, Midwest requested that the Board hold a hearing in this matter pursuant to 35 Ill. Adm. Code 104.406(j), 104.422(a)(1). Pet. at 27. In the Board order that accepted the petition for adjusted standard, the Board acknowledged Midwest's request for hearing. In the Matter of: Petition of Midwest Generation, LLC for an Adjusted Standard from 35 Ill. Adm. Code 847.740(a) and Finding of Inapplicability of 35 Ill. Adm. Code 845, AS 21-3 (June 3, 2021) at 1.

On June 7, 2021, Clean Power Lake County, Earthjustice, Environmental Law and Policy Center, Prairie Rivers Network, and Sierra Club (Environmental Organizations) filed a request (Request) for a public hearing in this matter. Request at 2-3. The Board acknowledges the request of the Environmental Organizations and notes that the petitioner also requests a hearing. The Board sets the matter for hearing. The Board directs the Hearing Officer in this matter to include the attorneys for the Environmental Organizations in discussions regarding setting the hearing date.

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 17, 2021, by a vote of 4-0.



Don A. Brown, Clerk
Illinois Pollution Control Board