

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:)
)
STANDARDS FOR THE DISPOSAL)
OF COAL COMBUSTION RESIDUALS) **R 20-19(A)**
IN SURFACE IMPOUNDMENTS:)
PROPOSED NEW 35 ILL. ADM.) **(Rulemaking – Land)**
CODE 845)

NOTICE OF FILING

TO: Don Brown Vanessa Horton
Clerk of the Board Hearing Officer
Illinois Pollution Control Board Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500 100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601 Chicago, Illinois 60601
(VIA ELECTRONIC MAIL) **(VIA ELECTRONIC MAIL)**

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board an **COMMENT SUBMITTED BY THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP**, copies of which are herewith served upon you.

Respectfully submitted,

Dated: August 6, 2021

By: /s/ Melissa S. Brown
One of Its Attorneys

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CERTIFICATE OF SERVICE

I, the undersigned, on oath state the following:

That I have served the attached **COMMENT SUBMITTED BY THE ILLINOIS**

ENVIRONMENTAL REGULATORY GROUP via electronic mail upon:

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That my email address is Melissa.Brown@heplerbroom.com

That the number of pages in the email transmission is 6 pages.

That the email transmission took place before 5:00 p.m. on the date of August 6, 2021.

/s/ Melissa S. Brown

Melissa S. Brown

Date: August 6, 2021

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COMMENT SUBMITTED BY
THE ILLINOIS ENVIRONMENTAL REGULATORY GROUP

NOW COMES the Illinois Environmental Regulatory Group (“IERG”), by and through its attorneys, HEPLERBROOM, LLC, and pursuant to the Illinois Pollution Control Board’s (“Board”) Hearing Officer Order of May 6, 2021, submits the following comment for the Board’s consideration in the above-referenced proceeding.

IERG is an Illinois non-profit corporation affiliated with the Illinois Chamber of Commerce and is comprised of forty-seven (47) member companies that are regulated by governmental agencies that promulgate, enforce, or administer environmental laws, rules, regulations, or other policies. IERG participated in the hearings in R 20-19, submitting pre-filed questions and questioning the Illinois Environmental Protection Agency’s (“Agency”) witnesses at hearing. IERG appreciates the opportunity to submit this comment.

Issues Identified in SubdoCKET

IERG does not support any further adjustments in the Standards for Disposal of Coal Combustion Residuals in Surface Impoundments: 35 Ill. Adm. Code 845, R 20-19 at the present time.

IERG believes Illinois should wait for the final development of the Federal Coal Combustion Residuals (CCR) rules. IERG understands that U.S. EPA is in the process of

revising its CCR rules, which serve as the basis for the Board's new Part 845. At which time, Illinois should analyze and potentially amend the Illinois rules to mirror the Federal rules.

IERG reserves the right to respond to additional suggestions and/or comments filed in this subdocket.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
REGULATORY GROUP

Dated: August 6, 2021

By: /s/ Melissa S. Brown
One of Its Attorneys

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