

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
	)	PCB AS 2021-008
PETITION OF AMEREN ENERGY	)	(Adjusted Standard – Land)
MEDIAN VALLEY COGEN LLC (OLD	)	
MEREDOSIA) FOR AN ADJUSTED	)	
STANDARD FROM 35 ADMIN. CODE	)	
PART 845	)	

NOTICE OF FILING

To: See attached Service List

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board Petitioner's Response in Objection to Respondent's Motion for Extension of Time, a copy of which is herewith served upon you.

Dated: June 23, 2026

AMEREN ENERGY MEDINA VALLEY
COGEN, LLC

By: /s/Kristen L. Gale

Kristen L. Gale
Susan M. Franzetti
Craig S. Thedwall
NIJMAN FRANZETTI LLP
10 South LaSalle Street Suite 3400
Chicago, IL 60603
(312) 251-5590
kg@nijmanfranzetti.com
sf@nijmanfranzetti.com
ct@nijmanfranzetti.com

SERVICE LIST

Don Brown, Clerk of the Board
Carol Webb
Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630
Chicago, IL 60605
don.brown@illinois.gov
Carol.Webb@illinois.gov

Charles E. Matoesian
Rebecca Strauss
Brian Navarrete
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
charles.matoesian@illinois.gov
Rebecca.Strauss@illinois.gov
Brian.Navarrete@illinois.gov

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a true copy of the foregoing Notice of Filing and Petitioner's Response in Objection to Respondent's Motion for Extension of Time was electronically filed on June 23, 2026 with the following:

Don Brown, Clerk of the Board
Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630
Chicago, IL 60605
don.brown@illinois.gov

and that a copy was sent via e-mail on June 23, 2026 to the parties on the service list.

Dated: June 23, 2026

/s/Kristen L. Gale

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Craig S. Thedwall
Nijman Franzetti LLP
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**PETITIONER’S RESPONSE IN OBJECTION TO
RESPONDENT’S MOTION FOR EXTENSION OF TIME**

Ameren Energy Medina Valley Cogen, LLC (“Ameren”) objects to the Illinois Environmental Protection Agency’s (“Illinois EPA” or “Agency”) Motion for Extension of 90 days to file its Recommendation. A majority of the information Ameren relied upon its Second Amended Petition for Adjusted Standard (“Second Amended Petition”) has been readily available to the Agency for at least three years and to the Bureau of Land since it took over the program, giving it sufficient time to evaluate the relevant data. While Ameren seeks to bring its request for an adjusted standard to a hearing as soon as possible, Ameren would accept an extension of 45-days, such that the Agency’s Recommendation would be due on September 2, 2026.

I. Background

As set forth in its Second Amended Petition, Ameren filed its Petition for an Adjusted Standard for the inactive Old Ash Pond (“Old Meredosia”) at Meredosia Power Station on May 11, 2021. On May 1, 2023, Ameren filed an Amended Petition in which it attached six exhibits with detailed technical information on Old Meredosia. The exhibits included a 2023 report describing the extensive ecosystem that developed on Old Meredosia, an evaluation of the groundwater under Old Meredosia, and a human health risk assessment. Amended Petition, , Exhibit 2 – Attachments A (PAS App’x, p. 620) and B (PAS App’x, p. 691-692) and Exhibit. 3 (PAS Appx, p. 1049).

Following its filing, Ameren also began an evaluation of alternative methods to manage Old Meredosia, including treatment of the groundwater. Ameren consistently informed the Agency of the treatment options, including providing a proposal for the treatability study, providing presentation of the results, and providing a preliminary work plan for the groundwater treatment. Ameren also spent a day with Agency representatives to give them a tour of the Meredosia Power Station (“MPS”) site, including Old Meredosia. Finally, as part of its Illinois EPA approved closure plan for the two active CCR surface impoundments at MPS, Ameren submits an Annual Groundwater Report for MPS to Illinois EPA, which includes groundwater wells surrounding Old Meredosia.

Ameren filed a Second Amended Petition on June 3, 2026. Because the fundamental facts regarding Old Meredosia have not changed, including the site history, surface ecology, and established separation between the site and the underlying groundwater, the Second Amended Petition significantly relied on the on the Amended Petition’s Exhibits with specific page references to the exhibits. *See* Second Amended Petition at p. 2, FN1.

II. Argument

The Agency’s request for triple the amount of time to prepare a Recommendation is unreasonable. Under the Board rules, the Agency must file its recommendation with the Board within 45 days of the petition. 35 Ill. Admin. Code 104.416. Typically, the Board grants extensions of 30 to 45 days to file a Recommendation. *See, e.g. In the Matter of: Petition of Conversion Systems, Inc. for Adjusted Standard from 35 ILL. ADMIN. CODE 810.103, 811.306, and 811.507*, PCB No. 92-9, 1992 Ill. ENV LEXIS 734 (October 1, 1992) (granting a 45-day extension to file the Agency Recommendation when the issues presented are technically complex and the Agency does not have an available technical expert), *In the Matter of: Petition of Conversion Systems, Inc., for Adjusted Standard from 35 Ill. Admin. Code Part 811 (Monofill)*, PCB No. 93-5, 1993 Ill. ENV

LEXIS 723 (July 22, 1993) (granting Illinois EPA a 30-day extension to file the Agency Recommendation to accommodate administrative complexities in a re-opened variance petition) *Shell Oil Company v. Illinois EPA*, PCB No. 90-2, 1992 Ill. ENV LEXIS 577 (July 30, 1992) (granting the Agency a 14-day extension to allow the Agency to resolve anomalous data in the petitioner's request for an adjusted standard) and *In the Matter of: Petition of National Metalwares, Inc. for an Adjusted Standard from 35 Ill. Admin. Code 218.204(g)*, PCB No. 95-6, 1995 Ill. ENV LEXIS 925 (Sept. 21, 1995) (granting Illinois EPA a 45-day extension when the Agency needs additional information from the petitioner to complete the Agency Recommendation).

Here, the Agency's request for an extension of an additional 90 days is excessive, given that the Agency has had a majority of the information for at least three years. Indeed, while the Illinois EPA has moved the responsibilities for the Coal Combustion Residual Program to the Bureau of Land, the Bureau of Land has been aware of Ameren's intent for a Second Amended Petition since at least 2025, and has had ample time to review the information readily available to it in Ameren's Amended Petition, as well as the information Ameren provided to the Agency regarding the groundwater treatment proposal. Moreover, because Ameren has provided the groundwater conditions for MPS for years, the Agency has been fully aware of the groundwater conditions at MPS. Accordingly, Illinois EPA should have the expertise and technical ability to understand the Second Amended and the previously submitted information, in part because Ameren has taken care to provide pin citations to both current exhibits and the exhibits of the previous Amended Petition. *Id.* at p. 9 FN3. Further, Ameren seeks to go to hearing on this matter as soon as possible, and the extreme extension is overly burdensome on Ameren's right to for a hearing.

The Board should deny the Agency's Motion for Extension of Time of 90 days. Instead, Ameren would not object to an extension of 45 days (*i.e.* to September 9, 2026). Forty-five additional days beyond the regulatory requirement should sufficiently allow Illinois EPA to review the history of the case and fully understand the Second Amended Petition within the context of the exhibits and records the Agency has already reviewed.

Respectfully submitted,

AMEREN ENERGY MEDINA VALLEY
COGEN, LLC

Petitioner,

By: /s/ Kristen L. Gale
One of its Attorneys

Kristin L. Gale
Susan M. Franzetti
Craig Thedwall
Nijman Franzetti LLP
10 S. LaSalle Street, Suite 3400
Chicago, IL 60603
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