

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

NOTICE OF FILING

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board the attached **MOTION TO LIVE STREAM PUBLIC COMMENTS** copies of which are attached hereto and herewith served upon you.

Respectfully submitted,

/s/ Faith E. Bugel
Faith E. Bugel
1004 Mohawk
Wilmette, IL 60091
(312) 282-9119
fbugel@gmail.com

Attorney for Sierra Club

Dated: September 15, 2020

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
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STANDARDS FOR THE DISPOSAL OF) R 20-19
COAL COMBUSTION RESIDUALS IN) (Rulemaking – Land)
SURFACE IMPOUNDMENTS: PROPOSED)
NEW 35 ILL. ADM. CODE 845)
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MOTION TO LIVE STREAM PUBLIC COMMENTS

Pursuant to 35 Ill. Admin. Code. 101.502(a), Sierra Club respectfully requests that the Hearing Officer grant Sierra Club’s Motion to Live Stream on Social Media the Public Comment portion of the upcoming Pollution Control Board (“Board”) hearings scheduled in the Rulemaking for the Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845 (“Coal Ash Rulemaking”).

In support of this Motion, Sierra Club states as follows:

1. Board Rule 101.606 provides for informal recordings of Board proceedings. “Informal recording of Board proceedings is allowed as provided for in this Section.” 35 Ill. Admin. Code. 101.606. Board Rule 101.110 states that “The Board encourages public participation in all of its proceedings.” 35 Ill. Admin. Code. 101.110. Hearing locations are, among other priorities, selected to “promote the attendance of interested members of the public.” 35 Ill. Admin. Code. 101.600.

2. Due to the COVID pandemic, the Coal Ash Rulemaking hearings are being conducted via Webex. The public comment times of the upcoming hearings in this proceeding are scheduled for September 30 at 12-1:30 pm and October 1 at 5:30-7:00 pm (“public comment portion”).

3. Sierra Club seeks to live stream the public comment portion of the hearings on social media in the same form as it is being displayed on Webex. Sierra Club's intention behind live-streaming the public comments on social media is simply to provide for increased public viewing of the public comments provided at the hearings. While the hearings are available to be viewed by any member of the public on Webex, Sierra Club believes that the public is generally more familiar with social media and social media is more accessible to the public. Sierra Club believes that this will in no way be disruptive of the public comments being offered at the hearings or any other aspect of the hearings.

WHEREFORE, Sierra Club respectfully requests that the Hearing Officer grant Sierra Club's Motion to Live Stream the Public Comment portion of the upcoming Coal Ash Rulemaking hearings.

Dated: September 15, 2020

Respectfully submitted,

/s/ Faith E. Bugel
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Attorney for Sierra Club

CERTIFICATE OF SERVICE

The undersigned, Faith E. Bugel, an attorney, certifies that I have served by email the Clerk and by email the individuals with email addresses named on the Service List provided on the Board's website, available at <https://pcb.illinois.gov/Cases/GetCaseDetailsById?caseId=16858>, a true and correct copy of **MOTION TO LIVE STREAM PUBLIC COMMENTS**, before 5 p.m. Central Time on September 15, 2020. The number of pages in the email transmission is 7 pages.

Respectfully submitted,
/s/ Faith Bugel
1004 Mohawk
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Attorney for Sierra Club

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