

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
 )  
COAL COMBUSTION ASH PONDS ) R14-10  
AND SURFACE IMPOUNDMENTS AT )  
POWER GENERATING FACILITIES: ) (Rulemaking – Water)  
PROPOSED 35 ILL. ADM. CODE 841 )

**NOTICE OF FILING**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the Illinois Environmental Protection Agency's Post Hearing Comments, a copy of each of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: 

James Jennings  
Assistant Counsel  
Division of Legal Counsel

DATED: April 30, 2014

James Jennings #6300112  
Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 N. Grand Ave. East  
P.O. Box 19276  
Springfield, IL 62794-9276  
(217) 782-5544

THIS FILING IS SUBMITTED ELECTRONICALLY AND SERVED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF: )  
 )  
COAL COMBUSTION WASTE ) R14-10  
SURFACE IMPOUNDMENTS ) (Rulemaking- Water)  
AT POWER GENERATING )  
FACILITIES: PROPOSED NEW )  
35 ILL. ADM. CODE 841 )

**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S**  
**POST HEARING COMMENTS**

NOW COMES the Illinois Environmental Protection Agency ("Agency") by one of its attorneys, James Jennings, and hereby submits its responses to Questions raised at the first hearing. In support therefore, the following statements are made:

1. On October 28, 2013, the Agency filed its proposed rulemaking for coal combustion waste (CCW) surface impoundments at power generating facilities.

2. On February 26-27, 2014, the Illinois Pollution Control Board ("Board") held its first set of hearings on the Agency's proposal.

3. On March 3, 2014, the Board Hearing Officer issued an order directing the Agency to respond by March 25, 2014, to questions and requests for information raised during the first hearing.

4. On Mach 25, 2014, the Agency responded to questions and requests for information raised during the first hearing.

5. In its response, the Agency committed to provide a response to questions and requests for information relating to the applicability of the Tiered Approach to Corrective Action Objectives ("TACO") rules, 35 Ill. Adm. Code 742, *et seq.*, to CCW surface impoundments on or before April 30, 2014.

6. In its response, the Agency stated that Hearing Exhibit 14, which is a chart containing information relating to CCW surface impoundments in Illinois, contained numerous factual inaccuracies.

7. The Agency's written response to questions relating to the applicability of the TACO rules to CCW surface impoundments and corresponding proposed rule changes are contained in Attachment 1.

8. The Agency has obtained the most recent information related to each of the inaccuracies reflected in Hearing Exhibit 14. These inaccuracies and applicable corrections are included in Attachment 2.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: 

James Jennings  
Assistant Counsel  
Division of Legal Counsel

DATED: April 30, 2014

James Jennings #6300112  
Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 N. Grand Ave. East  
P.O. Box 19276  
Springfield, IL 62794-9276  
(217) 782-5544

**THIS FILING IS SUBMITTED ELECTRONICALLY AND SERVED ON RECYCLED PAPER**

**CERTIFICATE OF SERVICE**

James Jennings, Assistant Counsel for the Illinois EPA, herein certifies that she has served a copy of the foregoing NOTICE OF FILING and ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S POST HEARING COMMENTS upon persons listed on the Service List by mailing, unless otherwise noted on the Service List, a true copy thereof in an envelope duly addressed bearing proper first class postage and deposited in the United States mail at Springfield, Illinois on March 25, 2014.

By: \_\_\_\_\_



James Jennings  
Assistant Counsel  
Division of Legal Counsel

**THIS FILING IS SUBMITTED ELECTRONICALLY AND SERVED ON RECYCLED PAPER**

**SERVICE LIST**

Matthew J. Dunn, Chief  
Environmental Enforcement/Asbestos  
Litigation Division  
Illinois Attorney General's Office  
500 South Second Street  
Springfield, IL 62706

Stephen Sylvester  
Environmental Enforcement/Asbestos  
69 West Washington, St.  
Suite 1800  
Chicago, IL 62706

Mike Mankowski  
Illinois Department of Natural Resources  
One Natural Resources Way  
Springfield, IL 62702-1271

Alec Messina  
Illinois Environmental Regulatory Group  
215 East Adams Street  
Springfield, IL 62701

Mark A. Bilut  
McDermott, Will & Emery  
227 West Monroe Street  
Chicago, IL 60606-5096

Christine G. Zeman  
City of Springfield  
Office of Public Utilities  
800 East Monroe, 4th Floor, Municipal Bldg. East  
Springfield, IL 62757-0001

Amy Antonioli  
6600 Willis Tower  
233 South Wacker Drive  
Chicago, IL 60606-6473

Andrew Armstrong  
Environmental Law and Policy Center  
35 E. Wacker Drive  
Suite 1600  
Chicago, IL 60601

Jessica Dexter  
Environmental Law and Policy Center  
35 E. Wacker Drive  
Suite 1600  
Chicago, IL 60601

Jack Darin  
Sierra Club  
70 E. Lake Street, Suite 1500  
Chicago, IL 60601-7447

Ameren Services  
One Ameren Plaza  
PO Box 66149  
St. Louis, MO 63166

Jason McLaurin  
Southern Illinois Power Cooperative  
11543 Lake of Egypt Road  
Marion, IL 62959-8500

Exelon Law Department  
10 South Dearborn, 49th Floor  
Chicago, IL 60603

Traci Barkley  
Prairie Rivers Network  
1902 Fox Drive, Suite 6  
Champaign, IL 61820

Susan M. Franzetti  
Nijman Franzetti LLP  
10 South LaSalle Street  
Suite 3600  
Chicago, IL 60603

Rick Diericx  
Senior Director  
Dynergy Midwest Generation, Inc.  
604 Pierce Blvd.  
O'Fallon, IL 62269

Michael Smallwood  
Consulting Engineer  
Ameren  
1901 Chouteau Avenue  
St. Louis, MO 63103

Abel Russ  
Environmental Integrity Project  
1000 Vermont Avenue NW  
Suite 1100  
Washington, DC 20005

Christopher Foley  
Senior Counsel  
Midwest Generation  
500 West Madison Street  
Suite 2640  
Chicago, IL 60661

Electric Energy, Inc.  
2100 Portland Road  
P.O. Box 165  
Joppa, IL 62953

Kincaid Generation LLC  
P.O. Box 260  
Kincaid  
IL 62540

Prairie Power, Inc.  
P.O. Box 10  
Peral, IL 62361

Prairie State Generating Company  
4190 County Highway 12  
Marissa, IL 62257

Tim Fox  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph  
Suite 11-500  
Chicago, Illinois 60601

David Rieser  
Much Shelist PC  
191 N. Wacker Drive  
Suite 1800  
Chicago, IL 60606

Amy Antonioli  
Schiff Hardin LLP  
6600 Willis Tower  
233 South Wacker Drive  
Chicago, IL 60606-6473

Nicole Wallace  
Much Shelist PC  
191 N. Wacker Drive  
Suite 1800  
Chicago, IL 60606

## ATTACHMENT 1

During the first set of hearings, questions were raised regarding whether the Tiered Approach to Corrective Action Objectives rules (TACO rules) could be used as part of cleanup under proposed Part 841 specifically whether cleanup could include the use of institutional controls. Hrg. Transcript Feb. 26, 2014, p 144-156. Hrg. Transcript Feb. 27, 2014 p 119-120.

AGENCY RESPONSE: The Agency does not support the use of the Tiered Approach to Corrective Action Objectives rules (35 Ill. Adm. Code Part 742) under proposed Part 841. The risk-based methodology and broad use of institutional controls set forth in the TACO rules is not appropriate, and at times, inconsistent with the goals of proposed Part 841. In addition, there are policy concerns, which are outlined below, that support the Agency's position. Although the Agency does not agree with the application of the TACO rules to CCW surface impoundments subject to Part 841, it recognizes that institutional controls may be necessary to adequately protect human health and the environment under certain circumstances. Therefore, the Agency's proposal includes the ability to use institutional controls as part of corrective action or closure.

*A. Part 620 Protects Groundwater; the TACO Rules only Address Existing Contamination*

Proposed Part 841 incorporates the Part 620 groundwater quality standards because of its focus on groundwater protection, which contrasts with the TACO rules' focus on the cleanup of existing contamination. The Illinois Groundwater Quality Standards are set forth in Part 620 of Title 35 of the Illinois Administrative Code. Part 620 was authorized by Section 8 of the Illinois Groundwater Protection Act (IGPA). The stated purpose of the IGPA is to "restore, protect and enhance the groundwaters of the State, as a natural and public resource." 415 ILCS 55/2(b). Section 8 of the IGPA requires the Agency to "propose regulations establishing comprehensive water quality standards which are specifically for the protection of the groundwater." 415 ILCS 55/8(a).

The stated purpose of the Part 620 standards is to prescribe groundwater quality classifications and standards, and to prescribe various procedures and protocols for the management and protection of groundwaters. To achieve these goals, Part 620 includes numeric values for specific chemical constituent concentrations that may be present in groundwater without posing a threat to human health or the environment, based on the use and potential use of that groundwater. See 35 Ill. Adm. Code 620.Subpart D. Part 620 also includes nondegradation provisions—a general prohibition against use impairment of resource groundwater—in addition to specific numeric limits. See 35 Ill. Adm. Code 620.Subpart C. In other words, under Part 620, a person cannot contaminate resource groundwater, even if contamination is below the numeric standards in Subpart D. In short, Part 620 furthers the Agency's goal to protect resource groundwater from contamination.

In contrast, the TACO rules "present[...] an approach for developing remediation objectives . . ." for the cleanup of sites at which contamination exists. 35 Ill. Adm. Code 742.110(a). The TACO rules do not include the nondegradation provisions of Part 620 or any comparable contamination prevention standard. The authority for establishing the risk-based TACO rules comes from the Site Remediation Program (SRP). See Title XVII of the Illinois Environmental Protection Act (Act), 415 ILCS 5/58 et seq. The stated intent of the SRP is "to establish a risk

## ATTACHMENT 1

based system of remediation based on protection of human health and the environment relative to present and future uses of the site.” 415 ILCS 5/58(1). While sites used for the treatment, storage, and disposal of waste that are permitted by the Agency under other regulations are specifically excluded from the SRP (which is a voluntary program), the TACO rules have a broader applicability than the SRP. Section 742.105 of the TACO rules states that “any person . . . may elect to proceed under this Part to the extent allowed by State of federal law and regulations. . . . A person proceeding under this Part may do so to the extent such actions are consistent with the requirements of the program under which site remediation is being addressed.”

The TACO rules set forth three tiers of remediation objectives that are available to owners or operators cleaning up a site. 35 Ill. Adm. Code 742.110. Subpart D of Part 620 serves as one of the bases for the Tier 1 groundwater remediation objectives, which are the most conservative of the three tiers. 35 Ill. Adm. Code 742.505(c). The second and third tiers of groundwater remediation objectives are determined based on site-specific information and permit contamination that exceeds the Part 620 standards to remain at the site. 35 Ill. Adm. Code 742.110(b) and (c). The second and third tiers of remediation objectives are derived from risks posed to human receptors and do not take ecological receptors into account. *Id.* In addition, the TACO rules broadly authorize an owner or operator to exclude exposure routes by which contamination may reach a human receptor through the use of institutional controls, even if no corrective action is undertaken.

*B. The Scope of the Proposed Part 841 is Different than the Scope of the TACO Rules*

Proposed Part 841 will apply to all CCW surface impoundments, not just those that currently exist and that are contributing to an exceedence of the Part 620 standards. The Agency determined that the most effective way to address the unique groundwater quality standards issues posed by CCW surface impoundments was through the application of the Part 620 standards. The Agency integrated the nondegradation provisions in Part 620 into proposed Part 841.235 by requiring further investigation of increasing trends and development of preventive response measures. The Agency also integrated the groundwater management zone provisions of Part 620 into proposed Part 841.<sup>1</sup> The Agency envisioned the groundwater management zone provisions in Part 620 would be used in conjunction with corrective action and closure provisions under proposed Part 841. In addition, the Agency intended the alternative groundwater quality standards provisions in Part 620 would govern CCW surface impoundments after corrective action or closure has been completed. By integrating Part 620 into proposed Part 841, the Agency intended proposed Part 841 to regulate all existing and new CCW surface impoundments, not just those at which an exceedence has occurred.

Applying the TACO rules under these circumstances would be inconsistent with the intent of proposed Part 841. The TACO rules do not include the nondegradation provisions or any

---

<sup>1</sup> A groundwater management zone (GMZ) establishes a three dimensional region containing groundwater being managed to mitigate impairment caused by a release of a contaminant. 35 Ill. Adm. Code 620.250. To obtain a GMZ, the owner or operator must undertake adequate corrective action in a timely and appropriate manner. Within a GMZ, the groundwater quality standards are suspended during the pendency of corrective action.



## ATTACHMENT 1

contamination prevention comparable standard. Rather, the TACO rules set forth remediation objectives for the cleanup of contamination from releases of regulated substances. Furthermore, the TACO rules only apply when contamination exceeds the Part 620 numeric standards. Not all CCW surface impoundments subject to Part 841 will have contamination that exceeds the Part 620 numeric standards. Therefore, the TACO rules should not be used to regulate cleanup objectives of CCW surface impoundments under Part 841.

*C. Allowing CCW Surface Impoundments to Utilize the TACO Rules Would Allow Owners or Operators to Disregard Ecological Receptors*

One of the purposes of proposed Part 841 is to protect human health and the environment. Given the location of many CCW impoundments relative to water sources in the State, threats to the environment must be considered when choosing how to regulate CCW surface impoundments. Under proposed Part 841, all CCW surface impoundments will be subject to the nondegradation provisions of Part 620. The nondegradation standards protect against increases of chemical constituents. This provides the owner or operator the opportunity to address a release when it is first detected. Furthermore, the Agency believes that such compliance will restore, protect, and enhance the groundwaters of the state, including groundwaters that are "vital for a particularly sensitive ecological system." 35 Ill. Adm. Code 620.230(a)(2).

The TACO rules do not prohibit degradation of the groundwater. Applying the TACO rules to CCW surface impoundments under proposed Part 841 would result in owners or operators being able to contaminate sites up to the TACO rules' Tier 1 remediation objectives before any environmental protection measures are undertaken. In addition, applying the TACO rules to CCW surface impoundments would allow an owner or operator to utilize cleanup objectives which do not consider ecological receptors. This is inconsistent with the purpose of proposed Part 841, which is designed to protect both human health and the environment via Part 620.

*D. Corrective Action Should Be Done to the Extent Practicable When There is a Release from a CCW Surface Impoundment.*

The Agency believes owners or operators of CCW surface impoundments that have a release should minimize any exceedence of the groundwater quality standards and return beneficial use of the groundwater. Section 11 of the Act provides that it is the policy of the state to "restore, maintain and enhance the purity of the waters this State." 415 ILCS 5/11(b). Waters of the state include groundwaters. 415 ILCS 5/3.550. Groundwater is a vital state resource and must be protected. To achieve these goals, the Act includes a permitting requirement for the operation of facilities capable of causing or contributing to water pollution. 415 ILCS 5/12. CCW surface impoundments operating in the State must have a permit issued by the Agency. The Agency proposed the inclusion of the Part 620 groundwater quality standards, and not the TACO rules, to further the stated purposes and goals of the Act. Under the TACO rules, groundwater contamination can be left in place or left at levels above the Part 620 standards.<sup>2</sup> The Agency

---

<sup>2</sup>The TACO rules expressly allow the owner or operator of a site subject to remediation to exceed the numeric limits if the owner or operator obtains an Agency-approved site-specific determination for the relevant exceedences. 35 Ill. Adm. Code 742.105(f); 35 Ill. Adm. Code 742.900(c)(9). These rules also do not require remediation of groundwater when human exposure routes have been excluded. 35 Ill. Adm. Code 742.320.

## ATTACHMENT 1

does not believe the use of the TACO rules would be appropriate to prevent groundwater contamination at facilities permitted by the Agency. In other words, proposed Part 841 should not allow groundwater contamination to exceed the numeric limits in Part 620. Indeed, to adopt a lower cleanup standard under the TACO rules in these instances would circumvent the stated purposes of the Act.

Allowing groundwater to remain at levels above the Part 620 standards could impact numerous beneficial uses, including agricultural, industrial, and uses by wildlife and aquatic life. Groundwater is migratory in nature and can have negative impacts on numerous beneficial uses long after the surface impoundment has ceased operation. Therefore, the Agency believes that when a CCW surface impoundment has a release, immediate clean up, to the extent practicable, is necessary. Under Part 620, after corrective action is completed, a facility will be entitled to alternative groundwater quality standards above the numeric limits, but only after the exceedence has been minimized and beneficial use as been returned. 35 Ill. Adm. Code 620.450(a)(4)(B)(i). The Agency believes this standard should be adopted by the Board for CCW surface impoundments that have been permitted by the Agency.

*E. Facilities Can Use Institutional Controls Under Proposed Part 841*

In some instances, returning the groundwater to the Part 620 numeric standards may not be achievable after the completion of corrective action. Under these circumstances, Part 620 provides owners or operators with an opportunity to seek an alternative groundwater quality standard. 35 Ill. Adm. Code 620.450(a)(4)(B). In establishing alternative groundwater quality standards under Section 620.450, the Agency must determine whether all threats to the public and the environment have been minimized. The Agency anticipates that an institutional control could be used by the owner or operator to make this demonstration to the Agency, and therefore use of institutional controls is allowed under proposed Part 841. A similar approach is found in the Hutsonville, site-specific rulemaking in Part 840. See R2009-21; 35 Ill. Adm. Code 840.116. In that rule, the Board incorporated the language found in Section 620.450 to establish alternative groundwater quality standards with an additional subsection. 35 Ill. Adm. Code 841.116(a)(3). This subsection requires the owner or operator to place an institutional control prohibiting uses of groundwater on the site in accordance with the Uniform Environmental Covenants Act, or an alternative instrument authorized for environmental uses under Illinois law and approved by the Agency. To clarify its intent in proposed Part 841, the Agency now proposes the following additional language in proposed Section 841.125 that is similar to the language found in Hutsonville site-specific rule.

**Section 841.125 Groundwater Quality Standards**

- a) The owner or operator shall comply with the groundwater standards in 35 Ill. Adm. Code 620 at all times, ~~including the corrective action process in 35 Ill. Adm. Code 620.250.~~
- b) An institutional control prohibiting potable uses of groundwater in accordance with the Uniform Environmental Covenants Act [765 ILCS 122] or an alternative

**ATTACHMENT 1**

instrument authorized for environmental uses under Illinois law and approved by the Agency may be used to demonstrate that any threat to public health or the environment has been minimized as required by 35 Ill. Adm. Code 620.450(a)(4)(B)(ii).

- c) Compliance with the groundwater quality standards shall be measured at the compliance point, or compliance points if more than one compliance point exists.
- d) The number and kinds of samples collected to establish compliance with the groundwater quality standards must be appropriate for the form of statistical test employed, as prescribed in Section 841.225 of this Part and the 2009 Unified Guidance, incorporated by reference in Section 841.120 of this Part.
- e) The Tiered Approach to Corrective Action Objectives, 35 Ill. Adm. Code 742, shall not be used in lieu of, or to satisfy, the procedures and requirements of this Part.

**Section 841.310 Corrective Action Plan**

- h) The owner or operator shall continue corrective action measures until
  - 1) compliance with the to-the extent necessary to ensure that no groundwater quality standards for the appropriate class set forth in 35 Ill. Adm. Code 620.410, 620.420, 620.430, or 620.440 is achievedexceeded at the compliance point or points; or
  - 2) compliance with alternative groundwater standards approved by the Agency pursuant to 35 Ill. Adm. Code 620.450.

**Section 841.440 Post-Closure Report and Certification**

- a) Post-closure care must continue for ten years, or until one of the following occurs, whichever is later:until
  - 1) compliance with the groundwater quality standards for the appropriate class set forth in 35 Ill. Adm. Code 620.410, 620.420, 620.430, 620.440 is achieved at the compliance point or points; or or in a groundwater management zone established pursuant to 35 Ill. Adm. Code 620.250; or
  - 2) compliance with alternative groundwater standards approved by the Agency pursuant to 35 Ill. Adm. Code 620.450a minimum of ten years from the Agency's approval of the closure report.

## ATTACHMENT 2

Name of Facility	NPDES Number	Number of Ash Ponds	Number Active (A)	Number Lined (Active)	Number Inactive (I)	Number Lined (Inactive)	Volume/ Other Information	Number Above vs. Below Grade
<b>Midwest Generation</b>								
Will County Station	IL0002208	4	4 <u>2</u>	4 <u>2</u>	0 <u>2</u>	0	No. Pond - 3M gal. (A) So. Pond 1 - 3.4M gal. (A) So. Pond 2 - 3M gal. (A) So. Pond 3 - 4M gal. (A)	<u>All</u> Below
Waukegan Station	IL0002259	2	2	2	0	0	Eas Pond - 52M gal. (A) West Pond - 52M gal. (A)	<u>All</u> Below
Powerton	IL0002232	3 <u>5</u>	3 <u>4</u>	3 <u>4</u>	0 <u>1</u>	0	Ash Basin - 31M gal. (A) Sec. Basin - 7.5M gal. (A) Bypass Basin - 2.2Mgal.(A)	<u>All</u> Below
Joliet 29	IL0064254	3	3	3	0	0	Pond 1 - 15M gal. (A) Pond 2 - 15M gal. (A) Pond 3 - 8.2M gal. (A)	<u>All</u> Below
Joliet 9	IL0002216	4 <u>0</u>	4 <u>0</u>	0	0	0	Quarry No. - 3.1M gal. (A) LSQ ( <u>permitted as a landfill</u> )- 288M gal. (A)	<u>All</u> Below
Crawford	IL0002186	1	4 <u>0</u>	4 <u>0</u>	0	0	Basin 21 - 2.4M gal. (A) Basin 16- 0.13 million gal.	<u>All</u> Below
<b>Electric Energy Inc.</b>								
Electric Energy Inc.	IL0004171	2	1	0*	1	0	1.024 Billion Gallons (A)	<u>All</u> Above
<b>Dynegy Midwest</b>								
Baldwin Energy Cen.	IL0000043	7 cells	6	0	1	0	Total Storage volume of 17,250 acre-feet (5.62 billion gallons)	All are at or above grade
Havana Station	IL0001571	<u>34</u> Ponds ( <u>6</u> Cells)	<u>5</u> -cells <u>4</u> ponds	4 of-6 cells <u>ponds</u>	South Pond (1 cell)	0	East Pond(4 cells) – total volume of 2,376 ac-ft South Pond 540 ac-ft	<u>All</u> Above

**ATTACHMENT 2**

Hennepin Station	IL0001554	<u>37</u> Ponds ( <u>6</u> Cells)	<u>4-w/2</u> cells <u>3 ponds</u>	<u>4-w/2</u> cells <u>3</u> <u>ponds</u>	<u>2-w/4</u> cells <u>4</u> <u>ponds</u>	0	West pond (I)- 900 ac-ft East Pond (I) – 1600 ac-ft New East (A) – 425 ac-ft	New East – below; all others above
Wood River Station	IL0000701	<u>2-w/6</u> cells <u>5</u> <u>ponds</u>	<u>4-of-6</u> cells <u>3</u> <u>ponds</u>	<u>4-of-6</u> cells <u>3</u> <u>ponds</u>	2 cells ponds	0	2 cells of West Pond closed. 2 cells of West lined and 250 ac-ft East Pond lined and 425 ac-ft	West-Below East-Above
Vermilion Station	IL0004057	3 w/5 cells	2 w/ 4 cells	1 w/ 2 cells	1	0	New East – 500 ac-ft North- 2400ac-ft East-closed prior to 1980	New East-above North – above Old East - above
<b>Ameren Energy</b>								
Newton Station	IL0049191	2	2	0	0	0		
Edwards Station	IL0001970	1	1	0	0	0		
Duck Creek Station	IL0055620	<u>6 5</u>	<u>6 3</u>	3	<u>0 2</u>	0	Ash ponds 1&2 are inactive and unlined-as-is recycle pond****	
Coffeen Station**	IL0000108	<u>4 5</u>	<u>3 4</u>	<u>2 3</u>	1	0	Ash Ponds A, B, and C are active and synthetic lined, Ash Pond D is out of service, and the bottom ash pond is active and unlined.	
Meredosia Station	IL0000116	<u>5 4</u>	2	0	<u>3 2</u>	0		
Hutsonville Station	IL0004120	5	4	3	1	0		
Venice	IL0000175	2	<u>2 0</u>	0	<u>0 2</u>	0		
Grand Tower	IL0000124	1	1	0	0	0		
<b>Kincaid Generation</b>								
Kincaid Generation	IL0002241	1	1	0***	0	0		

## ATTACHMENT 2

City Water Light and Power							
City Water Light and Power	IL0024767	2	2	0	0	0	
Prairie Power Inc.							
Prairie Power Inc.	IL0036765	1	1	0	0	0	
Southern Illinois Power Co-op.							
Southern Illinois Power Co-op.	IL0004316	7 12	7 10	4 0	0 2	0	

\*While the active ash impoundment at the Electric Energy Facility was not specifically constructed with a liner, the impoundment was constructed with compacted native clay soils.

\*\* Coffeen Station has a closed/ inactive ash pond with an unknown liner. An ash recycle pond constructed of clay but not specifically lined is currently active. A double synthetic lined gypsum impoundment along with a synthetic lined gypsum recycle pond are currently under construction.

\*\* \*The ash pond at the Kincaid Power Station was not constructed with an engineered liner, but the bottom of the impoundment is clay.

\*\*\*\*Duck Creek Station is currently constructing a double synthetic lined gypsum impoundment, a synthetic lined gypsum recycle pond, and a synthetic and concrete lined bottom ash pond.

It should be noted that a majority of the stations and their active ash pond have a program for beneficial re-use of at least a portion of their ash. Some are able to market all of the ash they generate for beneficial reuse, and others only a portion of their fly ash. The ability of a facility or generator to beneficially re-use its ash is highly market dependent.