

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:

PROPOSED AMENDMENTS TO
GROUNDWATER QUALITY
(35 ILL. ADM. CODE 620)

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R 2022-018
(Rulemaking - Public Water Supply)

NOTICE OF FILING

To: ALL PARTIES ON THE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached **Second Pre-filed Questions for the Illinois Environmental Protection Agency**, copies of which are hereby served upon you.

/s/ Bina Joshi

Bina Joshi

Dated: March 18, 2022

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Attorneys for Dynegy

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**SECOND PRE-FILED QUESTIONS FOR THE
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

NOW COMES Dynegy Midwest Generation, LLC, Electric Energy Inc., Illinois Power Generating Company, Illinois Power Resources Generating, LLC; and Kincaid Generation, LLC (collectively, “Dynegy”) by their attorneys, Schiff Hardin LLP, pursuant to the Hearing Officer’s March 11, 2022 Order and 35 Ill. Adm. Code 102.430, and hereby submit a second set of pre-filed questions for the Illinois Environmental Protection Agency (the “IEPA”). Dynegy respectfully requests that the Hearing Officer allow follow-up questioning to be asked at the hearing based on the answers provided.

1. Under IEPA’s proposal, what is the sampling methodology applicable to analyzing groundwater for inorganics under Part 620?
2. Are there any circumstances where samples can be field-filtered to determine whether there has been an exceedance of a Class I or Class II inorganic standard? If so, what are those circumstances?
3. Certain laboratory methods (e.g. EPA 200.7 and EPA 200.8) allow for lab-filtration prior to analysis of a sample. Under IEPA’s proposal, are there any circumstances where lab-filtration of a sample is allowed prior to being compared to a Class I or Class II inorganic standard? If so, what are those circumstances?

4. Please describe what irrigation practices IEPA is basing its proposed Class I and II selenium standard of 0.02mg/L upon.
 - a. What information has IEPA gathered to confirm that such practices occur in Illinois?
5. Please provide all of the information IEPA has considered in this rulemaking regarding the irrigation of fine-textured soils in Illinois, including but not limited to where such irrigation occurs, the amount of water usage, the frequency of water usage, and the pH of such soils.
6. What types of plants grow in irrigated fine-textured soils in Illinois? Are any of those plants used as forage by livestock in Illinois?
7. Has IEPA collected any information suggesting selenium is elevated in forage consumed by livestock in Illinois? If so, what information?
8. Are you aware of any changes in soil conditions in Illinois since 1989?
 - a. Were there fine-textured soils located in Illinois as of 1989?
 - b. Were fine-textured soils irrigated in Illinois as of 1989?
 - c. Were irrigated plants on fine-textured soils used as forage for livestock as of 1989?
9. What information, if any, did IEPA look at regarding groundwater standards for inorganics in other states in connection with developing its newly proposed Class I and Class II standards for inorganics?

/s/ Bina Joshi

Bina Joshi

Dated: March 18, 2022

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CERTIFICATE OF SERVICE

I, the undersigned, certify that on this 18th day of March, 2022, I have electronically served the attached **Second Pre-filed Questions for the Illinois Environmental Protection Agency** upon the individuals on the attached service list. I further certify that my email address is bina.joshi@afslaw.com; the number of pages in the email transmission is 7; and the email transmission took place before 5:00 p.m.

/s/ Bina Joshi

Bina Joshi

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