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2 PUBLIC HEARING FOR MIDWEST GENERATION  
3 WAUKEGAN GENERATING STATION NPDES PERMIT

4 July 31st, 2013

5 6:30 a.m.  
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8 The Report of Proceedings had in the  
9 hearing of the above-entitled cause before HEARING OFFICER  
10 DEAN STUDER, taken before PAMELA A. MARZULLO, a Certified  
11 Shorthand Reporter and Notary Public in and for the County  
12 of Cook and State of Illinois, at 95 Jack Benny Drive,  
13 Waukegan, Illinois, on July 31st, 2013, at the hour of  
14 approximately 6:30 a.m.  
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Marzullo Reporting Agency  
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1           One of the things that I'm quite concerned  
2 about is ground water contamination from the ash  
3 ponds. As I understand, last year the IEPA issued a  
4 notice of violation about ground water  
5 contamination; is that correct?

6           MR. DUNAWAY: That's correct.

7           MR. OWER: Is there anything in this permit  
8 that would require amending the standards or  
9 monitoring or regulation or plans to clean up that  
10 ground water contamination?

11          MR. DUNAWAY: The permit, itself, does not  
12 contain any ground water monitoring; however, as a  
13 result of that violation notice, there was an  
14 approved compliance commitment agreement which does  
15 require ongoing monitoring, also requires  
16 installation of a couple of additional wells at the  
17 site.

18          MR. OWER: Now is that a continuous monitoring  
19 or how often?

20          MR. DUNAWAY: Quarterly.

21          MR. OWER: Could that be increased, I mean  
22 quarterly? Can we check that more often, and what  
23 kind of plan is there?

24          MR. DUNAWAY: Currently, we don't believe the

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1 active ash ponds are the source of contamination.  
2 There appears to be some other source, other than  
3 the active ash ponds.

4 We do not necessarily know what that is  
5 right now, but we have had discussions with Midwest  
6 Generation, and they are looking at the situation,  
7 and they have engaged their consultants in looking  
8 into that also.

9 MR. OWER: The other thing is I understand the  
10 U.S. EPA is currently revising their rules as far as  
11 coal ash pollution, the pollutant runoff from the  
12 ash ponds. Is that correct?

13 Have they asked the Illinois EPA to try to  
14 look at changing their standards?

15 MR. LeCRONE: I can take that one. U.S. EPA  
16 has proposed to update the effluent limitation  
17 guidelines for the steam electric subcategory which  
18 uses the power stations.

19 Some of that will include potentially new  
20 limitation upon ash discharge and that sort of  
21 thing. It's still in the rule-making process, so  
22 there hasn't been any final decision what that final  
23 rule is going to look like at this point.

24 So, we always look at a permit review