

ILLINOIS POLLUTION CONTROL BOARD  
March 3, 2016

EXELON GENERATION LLC (DRESDEN )  
NUCLEAR GENERATING STATION), )  
 )  
Petitioner, )  
 )  
v. ) PCB 15-204  
 ) (Thermal Demonstration)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

CONCURRING OPINION (D. Glosser):

Exelon Generation LLC (Exelon) petitioned the Board for relief from the General Use water quality standards, and specifically requested a water quality standard not to exceed 90°F more than ten percent of the time during June 15 and September 30 and never exceeding 95°F, provided that discharge temperatures may exceed 93°F only when intake temperature exceeds 90°F. While I agree that under the law, Exelon has justified its alternative thermal standard, I have grave concerns about the potential impacts of an effluent discharge of 95°F. The 95°F alternative thermal limit requested by Exelon is based on the existing General Use water quality standards that allow temperatures of 90°F during the months of April to November (35 Ill. Adm. Code 302.211(e)). Because the General Use water quality standards allow for a daily maximum of 90°F and Exelon already received relief from that standard; I agree that legally Exelon has met its burden and can be granted its alternative thermal effluent limitation.

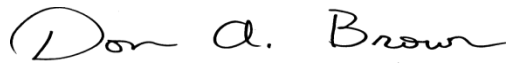
My concerns regarding temperature are based on the science that I believe establish that such high thermal loads will have a negative impact on aquatic life. I believe the science is supported by the fact that the Illinois Environmental Protection Agency (IEPA) proposed a thermal water quality standard in Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System (CAWS) and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304, R08-9, that is lower than the existing General Use requirement. Specifically, IEPA proposed a daily maximum temperature standard of 88.7°F for waters considered to be a lesser aquatic life use than General Use. *See* Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System (CAWS) and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304, R08-9(D) slip op. at 25-26 (Sept. 18, 2014). In the CAWS rulemaking, the Board specifically urged IEPA to consider revisions of the General Use thermal standards. *See* Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System (CAWS) and the Lower Des Plaines River: Proposed Amendments to 35 Ill. Adm. Code 301, 302, 303 and 304, R08-9(D) slip op. at 79 (Mar. 19, 2015). To date, IEPA has not done so.

For these reasons I concur.



Deanna Glosser

I, Don A. Brown, Assistant Clerk of the Illinois Pollution Control Board, certify that above concurring opinion was submitted on March 3, 2016.



Don A. Brown, Assistant Clerk  
Illinois Pollution Control Board