

MP



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

217/785-0561

June 11, 2012

RECEIVED

JUN 13 2012

ENVIRONMENTAL SERVICES  
MIDWEST GENERATION EME, LLC

CERTIFIED MAIL # 7010 2780 0002 1163 7216  
RETURN RECEIPT REQUESTED

Mr. Basil G. Constantelos: Managing Director, Environmental Services  
Midwest Generation EME, LLC  
2535 Remington Blvd  
Suite A  
Bolingbrook, IL 60440

**Re: Violation Notice: Midwest Generation, LLC, Waukegan Generating Station  
Identification No.: 6281  
Violation Notice No.: W-2012-00056**

Dear Mr. Constantelos:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in Attachment A to this notice. Attachment A includes an explanation of the activities that the Illinois EPA believes may resolve the specified alleged violations. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether or not the facility wishes to enter into a Compliance Commitment Agreement ("CCA") pursuant to Section 31(a) of the Act. If the facility wishes to enter into a CCA, the written response must also include proposed terms for the CCA that includes dates for achieving each commitment and may include a statement that compliance has been achieved for some or all of the alleged violations. The proposed terms of the CCA should contain sufficient detail and must include steps to be taken to achieve compliance and the necessary dates by which compliance will be achieved.

Comp. Ex. 1A

4302 N. Main St., Rockford, IL 61103 (815)987-7760  
595 S. State, Elgin, IL 60123 (847)608-3131  
2125 S. First St., Champaign, IL 61820 (217)278-5800  
2009 Mall St., Collinsville, IL 62234 (618)346-5120

9511 Harrison St., Des Plaines, IL 60016 (847)294-4000  
5407 N. University St., Arbor 113, Peoria, IL 61614 (309)693-5462  
2309 W. Main St., Suite 116, Marion, IL 62959 (618)993-7200  
100 W. Randolph, Suite 11-300, Chicago, IL 60601 (312)814-6026

Page 2 of 2

ID: 628I Midwest Generation, LLC, Waukegan Generating Station  
VN W-2012-00056

The Illinois EPA will review the proposed terms for a CCA provided by the facility and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, the facility must respond in writing by either agreeing to and signing the proposed CCA or by notifying the Illinois EPA that the facility rejects the terms of the proposed CCA.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to a prosecutorial authority.

Written communications should be directed to:

Illinois EPA – Division of Public Water Supplies  
Attn: Andrea Rhodes, CAS #19  
P.O. BOX 19276  
Springfield, IL 62794-9276

All communications must include reference to this Violation Notice number, W-2012-00056.

Questions regarding this Violation Notice should be directed to Andrea Rhodes at 217/785-0561.

Sincerely,



Michael Crumly  
Manager, Compliance Assurance Section  
Division of Public Water Supplies  
Bureau of Water

Attachments

cc: Maria Race

CASE ID: 2012-006

**ATTACHMENT A****MIDWEST GENERATION, LLC, WAUKEGAN GENERATING STATION, ID:6281  
VIOLATION NOTICE NO. W-2012-00056:**

A review of information available to the Illinois EPA indicates the following on-going violations of statutes, regulations, or permits. Included with each type of violation is an explanation of the activities that the Illinois EPA believes may resolve the violation.

**Groundwater Quality**

No person shall cause, threaten or allow the release of any contaminant to a resource groundwater such that: treatment or additional treatment is necessary to continue an existing use or to assure a potential use of such groundwater; or an existing or potential use of such groundwater is precluded. No person shall cause, threaten or allow the release of any contaminant to groundwater so as to cause a groundwater quality standard to be exceeded. Midwest Generation, LLC must take actions to mitigate existing contamination and prevent the continuing release of contaminants into the environment.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-1 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 9.54 su      | 6.5-9.0 su  | 3/14/2012       |
| pH        | 9.97 su      | 6.5-9.0 su  | 6/13/2011       |
| pH        | 9.92 su      | 6.5-9.0 su  | 3/24/2011       |
| Antimony  | 0.052 mg/l   | 0.006 mg/l  | 10/25/2010      |
| Arsenic   | 0.078 mg/l   | 0.05 mg/l   | 3/14/2012       |
| Arsenic   | 0.057 mg/l   | 0.05 mg/l   | 12/6/2011       |
| Arsenic   | 0.077 mg/l   | 0.05 mg/l   | 9/13/2011       |
| Arsenic   | 0.17 mg/l    | 0.05 mg/l   | 6/13/2011       |
| Arsenic   | 0.054 mg/l   | 0.05 mg/l   | 10/25/2010      |
| Boron     | 2.5 mg/l     | 2.0 mg/l    | 3/14/2012       |
| Boron     | 2.8 mg/l     | 2.0 mg/l    | 12/6/2011       |
| Boron     | 2.5 mg/l     | 2.0 mg/l    | 9/13/2011       |
| Boron     | 2.6 mg/l     | 2.0 mg/l    | 6/13/2011       |
| Boron     | 2.6 mg/l     | 2.0 mg/l    | 10/25/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

## ATTACHMENT A

**MIDWEST GENERATION, LLC, WAUKEGAN GENERATING STATION, ID:6281  
VIOLATION NOTICE NO. W-2012-00056:**

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-2 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 9.31 su      | 6.5-9.0 su  | 3/24/2011       |
| Boron     | 2.2 mg/l     | 2.0 mg/l    | 3/24/2011       |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-3 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 9.20 su      | 6.5-9.0 su  | 9/13/2011       |
| Boron     | 2.3 mg/l     | 2.0 mg/l    | 6/13/2011       |
| Boron     | 2.2 mg/l     | 2.0 mg/l    | 3/24/2011       |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-4 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Manganese | 0.36 mg/l    | 0.15 mg/l   | 9/13/2011       |
| Boron     | 2.2 mg/l     | 2.0 mg/l    | 3/14/2012       |
| Boron     | 2.1 mg/l     | 2.0 mg/l    | 12/6/2011       |
| Boron     | 2.1 mg/l     | 2.0 mg/l    | 3/24/2011       |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**ATTACHMENT A**

**MIDWEST GENERATION, LLC, WAUKEGAN GENERATING STATION, ID:6281  
 VIOLATION NOTICE NO. W-2012-00056**

**Violation  
Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-5 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Iron      | 6.6 mg/l     | 5.0 mg/l    | 3/14/2012       |
| Iron      | 5.6 mg/l     | 5.0 mg/l    | 12/6/2011       |
| Manganese | 0.76 mg/l    | 0.15 mg/l   | 3/14/2012       |
| Manganese | 0.99 mg/l    | 0.15 mg/l   | 12/6/2011       |
| Manganese | 0.28 mg/l    | 0.15 mg/l   | 6/13/2011       |
| Manganese | 0.60 mg/l    | 0.15 mg/l   | 3/24/2011       |
| Boron     | 44 mg/l      | 2.0 mg/l    | 3/14/2012       |
| Boron     | 37 mg/l      | 2.0 mg/l    | 12/6/2011       |
| Boron     | 30 mg/l      | 2.0 mg/l    | 9/13/2011       |
| Boron     | 12 mg/l      | 2.0 mg/l    | 6/13/2011       |
| Boron     | 33 mg/l      | 2.0 mg/l    | 3/24/2011       |
| Sulfate   | 980 mg/l     | 400 mg/l    | 3/14/2012       |
| Sulfate   | 1,100 mg/l   | 400 mg/l    | 12/6/2011       |
| Sulfate   | 810 mg/l     | 400 mg/l    | 9/13/2011       |
| Sulfate   | 1,100 mg/l   | 400 mg/l    | 6/13/2011       |
| Sulfate   | 780 mg/l     | 400 mg/l    | 3/24/2011       |
| Sulfate   | 920 mg/l     | 400 mg/l    | 10/25/2010      |
| Chloride  | 220 mg/l     | 200 mg/l    | 9/13/2011       |
| Chloride  | 540 mg/l     | 200 mg/l    | 6/13/2011       |
| TDS       | 2,000 mg/l   | 1,200 mg/l  | 3/14/2012       |
| TDS       | 2,300 mg/l   | 1,200 mg/l  | 12/6/2011       |
| TDS       | 2,300 mg/l   | 1,200 mg/l  | 9/13/2011       |
| TDS       | 3,300 mg/l   | 1,200 mg/l  | 6/13/2011       |
| TDS       | 1,800 mg/l   | 1,200 mg/l  | 3/24/2011       |
| TDS       | 1,500 mg/l   | 1,200 mg/l  | 10/25/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

MR



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JOHN J. KIM, INTERIM DIRECTOR

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JUN 13 2012

June 11, 2012

ENVIRONMENTAL SERVICES  
MIDWEST GENERATION EME, LLC

CERTIFIED MAIL # 7010 2780 0002 1163 7230  
RETURN RECEIPT REQUESTED

Mr. Basil G. Constantelos: Managing Director, Environmental Services  
Midwest Generation EME, LLC  
2535 Remington Blvd  
Suite A  
Bolingbrook, IL 60440

**Re: Violation Notice: Midwest Generation, LLC, Will County Generating Station  
Identification No.: 6283  
Violation Notice No.: W-2012-00058**

Dear Mr. Constantelos:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in Attachment A to this notice. Attachment A includes an explanation of the activities that the Illinois EPA believes may resolve the specified alleged violations. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether or not the facility wishes to enter into a Compliance Commitment Agreement ("CCA") pursuant to Section 31(a) of the Act. If the facility wishes to enter into a CCA, the written response must also include proposed terms for the CCA that includes dates for achieving each commitment and may include a statement that compliance has been achieved for some or all of the alleged violations. The proposed terms of the CCA should contain sufficient detail and must include steps to be taken to achieve compliance and the necessary dates by which compliance will be achieved.

Comp. Ex. 2A

Page 2 of 2

ID: 6283 Midwest Generation, LLC, Will County Generating Station  
VN W-2012-00058

The Illinois EPA will review the proposed terms for a CCA provided by the facility and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, the facility must respond in writing by either agreeing to and signing the proposed CCA or by notifying the Illinois EPA that the facility rejects the terms of the proposed CCA.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to a prosecutorial authority.

Written communications should be directed to:

Illinois EPA – Division of Public Water Supplies  
Attn: Andrea Rhodes, CAS #19  
P.O. BOX 19276  
Springfield, IL 62794-9276

All communications must include reference to this Violation Notice number, W-2012-00058.

Questions regarding this Violation Notice should be directed to Andrea Rhodes at 217/785-0561.

Sincerely,



Michael Crumly  
Manager, Compliance Assurance Section  
Division of Public Water Supplies  
Bureau of Water

Attachments

cc: Maria Race

CASE ID: 2012-006

**ATTACHMENT A**

**MIDWEST GENERATION, LLC, WILL COUNTY GENERATING STATION, ID:6283  
 VIOLATION NOTICE NO. W-2012-00058:**

A review of information available to the Illinois EPA indicates the following on-going violations of statutes, regulations, or permits. Included with each type of violation is an explanation of the activities that the Illinois EPA believes may resolve the violation.

**Groundwater Quality**

No person shall cause, threaten or allow the release of any contaminant to a resource groundwater such that: treatment or additional treatment is necessary to continue an existing use or to assure a potential use of such groundwater; or an existing or potential use of such groundwater is precluded. No person shall cause, threaten or allow the release of any contaminant to groundwater so as to cause a groundwater quality standard to be exceeded. Midwest Generation, LLC must take actions to mitigate existing contamination and prevent the continuing release of contaminants into the environment.

**Violation**

**Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-1 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Antimony  | 0.0063 mg/l  | 0.006 mg/l  | 12/08/2011      |
| Manganese | 0.16 mg/l    | 0.15 mg/l   | 03/16/2012      |
| Manganese | 0.17 mg/l    | 0.15 mg/l   | 12/08/2011      |
| Manganese | 0.16 mg/l    | 0.15 mg/l   | 09/15/2011      |
| Manganese | 0.22 mg/l    | 0.15 mg/l   | 06/15/2011      |
| Manganese | 0.20 mg/l    | 0.15 mg/l   | 12/13/2010      |
| Sulfate   | 430 mg/l     | 400 mg/l    | 03/16/2012      |
| Sulfate   | 530 mg/l     | 400 mg/l    | 12/13/2010      |
| Chloride  | 210 mg/l     | 200 mg/l    | 03/28/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.



**ATTACHMENT A****MIDWEST GENERATION, LLC, WILL COUNTY GENERATING STATION, ID:6283  
VIOLATION NOTICE NO. W-2012-00058:****Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-2 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Antimony  | 0.017 mg/l   | 0.006 mg/l  | 12/08/2011      |
| Antimony  | 0.0073 mg/l  | 0.006 mg/l  | 09/15/2011      |
| Boron     | 2.30 mg/l    | 2.0 mg/l    | 09/15/2011      |
| Boron     | 2.30 mg/l    | 2.0 mg/l    | 06/15/2011      |
| Sulfate   | 430 mg/l     | 400 mg/l    | 12/13/2010      |
| Chloride  | 250 mg/l     | 200 mg/l    | 03/28/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-3 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Boron     | 2.7 mg/l     | 2.0 mg/l    | 03/16/2012      |
| Boron     | 2.8 mg/l     | 2.0 mg/l    | 12/08/2011      |
| Boron     | 3.3 mg/l     | 2.0 mg/l    | 09/15/2011      |
| Boron     | 2.6 mg/l     | 2.0 mg/l    | 06/15/2011      |
| Boron     | 2.4 mg/l     | 2.0 mg/l    | 03/28/2011      |
| Boron     | 2.7 mg/l     | 2.0 mg/l    | 12/13/2010      |
| Chloride  | 250 mg/l     | 200 mg/l    | 03/28/2011      |
| Manganese | 0.27 mg/l    | 0.15 mg/l   | 03/16/2012      |
| Manganese | 0.29 mg/l    | 0.15 mg/l   | 12/08/2011      |
| Manganese | 0.26 mg/l    | 0.15 mg/l   | 09/15/2011      |
| Manganese | 0.34 mg/l    | 0.15 mg/l   | 06/15/2011      |
| Manganese | 0.31 mg/l    | 0.15 mg/l   | 03/28/2011      |
| Manganese | 0.34 mg/l    | 0.15 mg/l   | 12/13/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**ATTACHMENT A****MIDWEST GENERATION, LLC, WILL COUNTY GENERATING STATION, ID:6283  
VIOLATION NOTICE NO. W-2012-00058:****Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-4 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Boron     | 4.0 mg/l     | 2.0 mg/l    | 03/16/2012      |
| Boron     | 3.0 mg/l     | 2.0 mg/l    | 12/08/2011      |
| Boron     | 4.3 mg/l     | 2.0 mg/l    | 09/15/2011      |
| Boron     | 3.6 mg/l     | 2.0 mg/l    | 06/15/2011      |
| Boron     | 3.3 mg/l     | 2.0 mg/l    | 03/29/2011      |
| Boron     | 3.7 mg/l     | 2.0 mg/l    | 12/13/2010      |
| Manganese | 0.60 mg/l    | 0.15 mg/l   | 03/16/2012      |
| Manganese | 0.60 mg/l    | 0.15 mg/l   | 12/08/2011      |
| Manganese | 1.00 mg/l    | 0.15 mg/l   | 09/15/2011      |
| Manganese | 0.70 mg/l    | 0.15 mg/l   | 06/15/2011      |
| Manganese | 0.58 mg/l    | 0.15 mg/l   | 03/29/2011      |
| Manganese | 0.52 mg/l    | 0.15 mg/l   | 12/13/2010      |
| Sulfate   | 2,000 mg/l   | 400 mg/l    | 03/16/2012      |
| Sulfate   | 1,600 mg/l   | 400 mg/l    | 12/08/2011      |
| Sulfate   | 4,800 mg/l   | 400 mg/l    | 09/15/2011      |
| Sulfate   | 1,600 mg/l   | 400 mg/l    | 06/15/2011      |
| Sulfate   | 1,500 mg/l   | 400 mg/l    | 03/29/2011      |
| Sulfate   | 1,500 mg/l   | 400 mg/l    | 12/13/2010      |
| TDS       | 3,700 mg/l   | 1,200 mg/l  | 03/16/2012      |
| TDS       | 3,100 mg/l   | 1,200 mg/l  | 12/08/2011      |
| TDS       | 6,000 mg/l   | 1,200 mg/l  | 09/15/2011      |
| TDS       | 2,800 mg/l   | 1,200 mg/l  | 06/15/2011      |
| TDS       | 2,600 mg/l   | 1,200 mg/l  | 03/29/2011      |
| TDS       | 2,500 mg/l   | 1,200 mg/l  | 12/13/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-5 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 9.3 su       | 6.5-9.0 su  | 03/16/2012      |
| pH        | 9.51 su      | 6.5-9.0 su  | 03/28/2011      |

**ATTACHMENT A****MIDWEST GENERATION, LLC, WILL COUNTY GENERATING STATION, ID:6283  
VIOLATION NOTICE NO. W-2012-00058:****Violation****Description**

MW-5 continued

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Boron     | 2.9 mg/l     | 2.0 mg/l    | 03/16/2012      |
| Boron     | 3.2 mg/l     | 2.0 mg/l    | 12/08/2011      |
| Boron     | 4.0 mg/l     | 2.0 mg/l    | 09/15/2011      |
| Boron     | 3.2 mg/l     | 2.0 mg/l    | 06/15/2011      |
| Boron     | 2.7 mg/l     | 2.0 mg/l    | 03/29/2011      |
| Boron     | 2.6 mg/l     | 2.0 mg/l    | 12/13/2010      |
| Sulfate   | 500 mg/l     | 400 mg/l    | 12/08/2011      |
| Sulfate   | 690 mg/l     | 400 mg/l    | 09/15/2011      |
| Sulfate   | 540 mg/l     | 400 mg/l    | 06/15/2011      |
| Sulfate   | 570 mg/l     | 400 mg/l    | 03/29/2011      |
| Sulfate   | 580 mg/l     | 400 mg/l    | 12/13/2010      |
| TDS       | 1,500 mg/l   | 1,200 mg/l  | 09/15/2011      |
| TDS       | 1,400 mg/l   | 1,200 mg/l  | 06/15/2011      |
| TDS       | 1,300 mg/l   | 1,200 mg/l  | 03/29/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-6 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 9.39 su      | 6.5-9.0 su  | 03/16/2012      |
| pH        | 9.44 su      | 6.5-9.0 su  | 09/15/2011      |
| pH        | 9.27 su      | 6.5-9.0 su  | 06/15/2011      |
| pH        | 9.65 su      | 6.5-9.0 su  | 03/29/2011      |
| Boron     | 2.5 mg/l     | 2.0 mg/l    | 03/16/2012      |
| Boron     | 2.5 mg/l     | 2.0 mg/l    | 12/08/2011      |
| Boron     | 3.0 mg/l     | 2.0 mg/l    | 09/15/2011      |
| Boron     | 2.4 mg/l     | 2.0 mg/l    | 06/15/2011      |
| Boron     | 2.5 mg/l     | 2.0 mg/l    | 03/28/2011      |
| Boron     | 2.7 mg/l     | 2.0 mg/l    | 12/13/2010      |
| Chloride  | 210 mg/l     | 200 mg/l    | 03/28/2011      |
| Sulfate   | 440 mg/l     | 400 mg/l    | 12/08/2011      |
| Sulfate   | 420 mg/l     | 400 mg/l    | 09/15/2011      |

**ATTACHMENT A****MIDWEST GENERATION, LLC, WILL COUNTY GENERATING STATION, ID:6283  
VIOLATION NOTICE NO. W-2012-00058:****Violation****Description**

MW-6 continued

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Sulfate   | 570 mg/l     | 400 mg/l    | 06/15/2011      |
| Sulfate   | 540 mg/l     | 400 mg/l    | 03/28/2011      |
| Sulfate   | 500 mg/l     | 400 mg/l    | 12/13/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-7 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Manganese | 0.20 mg/l    | 0.15 mg/l   | 03/16/2012      |
| Manganese | 0.20 mg/l    | 0.15 mg/l   | 12/08/2011      |
| Manganese | 0.18 mg/l    | 0.15 mg/l   | 09/15/2011      |
| Boron     | 5.1 mg/l     | 2.0 mg/l    | 03/16/2012      |
| Boron     | 5.0 mg/l     | 2.0 mg/l    | 12/08/2011      |
| Boron     | 3.4 mg/l     | 2.0 mg/l    | 09/15/2011      |
| Boron     | 5.7 mg/l     | 2.0 mg/l    | 06/15/2011      |
| Boron     | 5.0 mg/l     | 2.0 mg/l    | 03/29/2011      |
| Boron     | 4.7 mg/l     | 2.0 mg/l    | 12/13/2010      |
| Sulfate   | 770 mg/l     | 400 mg/l    | 03/16/2012      |
| Sulfate   | 710 mg/l     | 400 mg/l    | 12/08/2011      |
| Sulfate   | 710 mg/l     | 400 mg/l    | 09/15/2011      |
| Sulfate   | 1,000 mg/l   | 400 mg/l    | 06/15/2011      |
| Sulfate   | 650 mg/l     | 400 mg/l    | 03/29/2011      |
| Sulfate   | 610 mg/l     | 400 mg/l    | 12/13/2010      |
| TDS       | 1,400 mg/l   | 1,200 mg/l  | 03/16/2012      |
| TDS       | 1,300 mg/l   | 1,200 mg/l  | 12/08/2011      |
| TDS       | 1,400 mg/l   | 1,200 mg/l  | 09/15/2011      |
| TDS       | 1,600 mg/l   | 1,200 mg/l  | 06/15/2011      |
| TDS       | 1,500 mg/l   | 1,200 mg/l  | 03/29/2011      |
| TDS       | 1,300 mg/l   | 1,200 mg/l  | 12/13/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**ATTACHMENT A****MIDWEST GENERATION, LLC, WILL COUNTY GENERATING STATION, ID:6283  
VIOLATION NOTICE NO. W-2012-00058:****Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-8 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Boron     | 2.3 mg/l     | 2.0 mg/l    | 09/15/2011      |
| Chloride  | 270 mg/l     | 200 mg/l    | 03/29/2011      |
| Manganese | 0.40 mg/l    | 0.15 mg/l   | 12/08/2011      |
| Manganese | 0.45 mg/l    | 0.15 mg/l   | 09/15/2011      |
| Manganese | 0.47 mg/l    | 0.15 mg/l   | 06/15/2011      |
| Manganese | 0.44 mg/l    | 0.15 mg/l   | 03/29/2011      |
| Manganese | 0.33 mg/l    | 0.15 mg/l   | 12/13/2010      |
| Sulfate   | 600 mg/l     | 400 mg/l    | 09/15/2011      |
| Sulfate   | 420 mg/l     | 400 mg/l    | 06/15/2011      |
| Sulfate   | 440 mg/l     | 400 mg/l    | 03/29/2011      |
| Sulfate   | 440 mg/l     | 400 mg/l    | 12/13/2010      |
| TDS       | 1,300 mg/l   | 1,200 mg/l  | 09/15/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-9 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 10.56 su     | 6.5-9.0 su  | 03/16/2012      |
| pH        | 9.55 su      | 6.5-9.0 su  | 12/08/2011      |
| pH        | 10.27 su     | 6.5-9.0 su  | 09/15/2011      |
| pH        | 10.44 su     | 6.5-9.0 su  | 06/15/2011      |
| pH        | 10.87 su     | 6.5-9.0 su  | 03/29/2011      |
| Boron     | 2.2 mg/l     | 2.0 mg/l    | 12/13/2010      |
| Chloride  | 230 mg/l     | 200 mg/l    | 06/15/2011      |
| Chloride  | 280 mg/l     | 200 mg/l    | 03/29/2011      |
| Sulfate   | 410 mg/l     | 400 mg/l    | 06/15/2011      |
| Sulfate   | 410 mg/l     | 400 mg/l    | 12/13/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**ATTACHMENT A**

**MIDWEST GENERATION, LLC, WILL COUNTY GENERATING STATION, ID:6283  
VIOLATION NOTICE NO. W-2012-00058:**

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-10 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Boron     | 2.1 mg/l     | 2.0 mg/l    | 03/16/2012      |
| Boron     | 2.5 mg/l     | 2.0 mg/l    | 12/08/2011      |
| Boron     | 2.8 mg/l     | 2.0 mg/l    | 09/15/2011      |
| Boron     | 2.2 mg/l     | 2.0 mg/l    | 06/15/2011      |
| Boron     | 2.1 mg/l     | 2.0 mg/l    | 12/13/2010      |
| Manganese | 0.25 mg/l    | 0.15 mg/l   | 03/16/2012      |
| Manganese | 0.29 mg/l    | 0.15 mg/l   | 12/08/2011      |
| Manganese | 0.27 mg/l    | 0.15 mg/l   | 09/15/2011      |
| Manganese | 0.25 mg/l    | 0.15 mg/l   | 06/15/2011      |
| Manganese | 0.22 mg/l    | 0.15 mg/l   | 03/28/2011      |
| Manganese | 0.25 mg/l    | 0.15 mg/l   | 12/13/2010      |
| Sulfate   | 420 mg/l     | 400 mg/l    | 09/15/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

MR

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

217/785-0561

RECEIVED

RECEIVED

JUN 13 2012

June 11, 2012

JUN 13 2012

ENVIRONMENTAL SERVICES  
MIDWEST GENERATION EME, LLC

ENVIRONMENTAL SERVICES  
MIDWEST GENERATION EME, LLC

CERTIFIED MAIL # 7010 2780 0002 1163 7223  
RETURN RECEIPT REQUESTED

Mr. Basil G. Constantelos: Managing Director, Environmental Services  
Midwest Generation EME, LLC  
2535 Remington Blvd  
Suite A  
Bolingbrook, IL 60440

**Re: Violation Notice: Midwest Generation, LLC, Joliet #29 Generating Station  
Identification No.: 6284  
Violation Notice No.: W-2012-00059**

Dear Mr. Constantelos:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in Attachment A to this notice. Attachment A includes an explanation of the activities that the Illinois EPA believes may resolve the specified alleged violations. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether or not the facility wishes to enter into a Compliance Commitment Agreement ("CCA") pursuant to Section 31(a) of the Act. If the facility wishes to enter into a CCA, the written response must also include proposed terms for the CCA that includes dates for achieving each commitment and may include a statement that compliance has been achieved for some or all of the alleged violations. The proposed terms of the CCA should contain sufficient detail and must include steps to be taken to achieve compliance and the necessary dates by which compliance will be achieved.

Comp. Ex. 3A

4302 N. Main St., Rockford, IL 61103 (815)987-7760  
595 S. State, Elgin, IL 60123 (847)608-3131  
2125 S. First St., Champaign, IL 61820 (217)278-5800  
2009 Mall St., Collinsville, IL 62234 (618)346-5120

9511 Harrison St., Des Plaines, IL 60016 (847)294-4000  
5407 N. University St., Arbor 113, Peoria, IL 61614 (309)693-5462  
2309 W. Main St., Suite 116, Marlon, IL 62959 (618)993-7200  
100 W. Randolph, Suite 11-300, Chicago, IL 60601 (312)814-6026

Page 2 of 2

ID: 6284 Midwest Generation, LLC, Joliet #29 Generating Station  
VN W-2012-00059

The Illinois EPA will review the proposed terms for a CCA provided by the facility and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, the facility must respond in writing by either agreeing to and signing the proposed CCA or by notifying the Illinois EPA that the facility rejects the terms of the proposed CCA.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to a prosecutorial authority.

Written communications should be directed to:

Illinois EPA – Division of Public Water Supplies  
Attn: Andrea Rhodes, CAS #19  
P.O. BOX 19276  
Springfield, IL 62794-9276

All communications must include reference to this Violation Notice number, W-2012-00059.

Questions regarding this Violation Notice should be directed to Andrea Rhodes at 217/785-0561.

Sincerely,



Michael Crumly  
Manager, Compliance Assurance Section  
Division of Public Water Supplies  
Bureau of Water

Attachments

cc: Maria Race

CASE ID: 2012-006



**ATTACHMENT A****MIDWEST GENERATION, LLC, JOLIET #29 GENERATING STATION, ID:6284  
VIOLATION NOTICE NO. W-2012-00059:**

A review of information available to the Illinois EPA indicates the following on-going violations of statutes, regulations, or permits. Included with each type of violation is an explanation of the activities that the Illinois EPA believes may resolve the violation.

**Groundwater Quality**

No person shall cause, threaten or allow the release of any contaminant to a resource groundwater such that: treatment or additional treatment is necessary to continue an existing use or to assure a potential use of such groundwater; or an existing or potential use of such groundwater is precluded. No person shall cause, threaten or allow the release of any contaminant to groundwater so as to cause a groundwater quality standard to be exceeded. Midwest Generation, LLC must take actions to mitigate existing contamination and prevent the continuing release of contaminants into the environment.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-2 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Chloride  | 230 mg/l     | 200 mg/l    | 06/14/2011      |
| Antimony  | 0.012 mg/l   | 0.006 mg/l  | 12/06/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-3 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Chloride  | 250 mg/l     | 200 mg/l    | 03/15/2012      |
| Chloride  | 260 mg/l     | 200 mg/l    | 12/07/2011      |
| Chloride  | 300 mg/l     | 200 mg/l    | 06/14/2011      |
| Chloride  | 240 mg/l     | 200 mg/l    | 03/28/2011      |
| Chloride  | 260 mg/l     | 200 mg/l    | 12/07/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**ATTACHMENT A****MIDWEST GENERATION, LLC, JOLIET #29 GENERATING STATION, ID:6284  
VIOLATION NOTICE NO. W-2012-00059:****Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-4 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Chloride  | 210 mg/l     | 200 mg/l    | 03/15/2012      |
| Chloride  | 250 mg/l     | 200 mg/l    | 06/14/2011      |
| Chloride  | 270 mg/l     | 200 mg/l    | 03/28/2011      |
| Chloride  | 270 mg/l     | 200 mg/l    | 12/07/2010      |
| Manganese | 0.33 mg/l    | 0.15 mg/l   | 12/07/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-5 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Chloride  | 210 mg/l     | 200 mg/l    | 03/15/2012      |
| Chloride  | 220 mg/l     | 200 mg/l    | 06/14/2011      |
| Chloride  | 240 mg/l     | 200 mg/l    | 03/28/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-6 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Chloride  | 270 mg/l     | 200 mg/l    | 03/28/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**ATTACHMENT A****MIDWEST GENERATION, LLC, JOLIET #29 GENERATING STATION, ID:6284  
VIOLATION NOTICE NO. W-2012-00059:****Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-7 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Chloride  | 320 mg/l     | 200 mg/l    | 03/28/2011      |
| Chloride  | 430 mg/l     | 200 mg/l    | 12/06/2010      |
| Manganese | 0.29 mg/l    | 0.15 mg/l   | 12/07/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-8 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Chloride  | 410 mg/l     | 200 mg/l    | 03/15/2012      |
| Chloride  | 350 mg/l     | 200 mg/l    | 03/28/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-9 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Chloride  | 290 mg/l     | 200 mg/l    | 06/14/2011      |
| Iron      | 7.3 mg/l     | 5.0 mg/l    | 06/14/2011      |
| Manganese | 1.3 mg/l     | 0.15 mg/l   | 03/15/2012      |
| Manganese | 0.66 mg/l    | 0.15 mg/l   | 12/07/2011      |
| Manganese | 0.82 mg/l    | 0.15 mg/l   | 09/14/2011      |
| Manganese | 0.95 mg/l    | 0.15 mg/l   | 06/14/2011      |
| Manganese | 1.6 mg/l     | 0.15 mg/l   | 03/28/2011      |
| Manganese | 1.1 mg/l     | 0.15 mg/l   | 12/06/2010      |
| Sulfate   | 1,600 mg/l   | 400 mg/l    | 03/15/2012      |
| Sulfate   | 1,600 mg/l   | 400 mg/l    | 12/07/2011      |
| Sulfate   | 750 mg/l     | 400 mg/l    | 09/14/2011      |
| Sulfate   | 580 mg/l     | 400 mg/l    | 06/14/2011      |

**ATTACHMENT A**

**MIDWEST GENERATION, LLC, JOLIET #29 GENERATING STATION, ID:6284  
 VIOLATION NOTICE NO. W-2012-00059:**

**Violation  
Description**

MW-9 continued

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Sulfate   | 1,100 mg/l   | 400 mg/l    | 03/28/2011      |
| Sulfate   | 1,600 mg/l   | 400 mg/l    | 12/06/2010      |
| TDS       | 2,600 mg/l   | 1,200 mg/l  | 03/15/2012      |
| TDS       | 2,400 mg/l   | 1,200 mg/l  | 12/07/2011      |
| TDS       | 1,700 mg/l   | 1,200 mg/l  | 09/14/2011      |
| TDS       | 1,500 mg/l   | 1,200 mg/l  | 06/14/2011      |
| TDS       | 2,400 mg/l   | 1,200 mg/l  | 03/28/2011      |
| TDS       | 2,600 mg/l   | 1,200 mg/l  | 12/06/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation  
Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-10 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Chloride  | 300 mg/l     | 200 mg/l    | 03/28/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410

**Violation  
Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-11 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Boron     | 2.2 mg/l     | 2.0 mg/l    | 06/14/2011      |
| Boron     | 2.6 mg/l     | 2.0 mg/l    | 03/28/2011      |
| Chloride  | 240 mg/l     | 200 mg/l    | 03/15/2012      |
| Chloride  | 280 mg/l     | 200 mg/l    | 06/14/2011      |
| Chloride  | 270 mg/l     | 200 mg/l    | 03/28/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

217/785-0561

June 11, 2012

RECEIVED  
JUN 14 2012  
ENVIRONMENTAL SERVICES  
MIDWEST GENERATION EME, LLC

RECEIVED  
JUN 14  
ENVIRONMENTAL SERVICES  
MIDWEST GENERATION EME, LLC

CERTIFIED MAIL # 7010 2780 0002 1163 7254  
RETURN RECEIPT REQUESTED

Mr. Basil G. Constantelos: Managing Director, Environmental Services  
Midwest Generation EME, LLC  
2535 Remington Blvd  
Suite A  
Bolingbrook, IL 60440

**Re: Violation Notice: Midwest Generation, LLC, Powerton Generating Station  
Identification No.: 6282  
Violation Notice No.: W-2012-00057**

Dear Mr. Constantelos:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in Attachment A to this notice. Attachment A includes an explanation of the activities that the Illinois EPA believes may resolve the specified alleged violations. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether or not the facility wishes to enter into a Compliance Commitment Agreement ("CCA") pursuant to Section 31(a) of the Act. If the facility wishes to enter into a CCA, the written response must also include proposed terms for the CCA that includes dates for achieving each commitment and may include a statement that compliance has been achieved for some or all of the alleged violations. The proposed terms of the CCA should contain sufficient detail and must include steps to be taken to achieve compliance and the necessary dates by which compliance will be achieved.

Comp. Ex. 4A

Page 2 of 2

ID: 6282 Midwest Generation, LLC, Powerton Generating Station  
VN W-2012-00057

The Illinois EPA will review the proposed terms for a CCA provided by the facility and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, the facility must respond in writing by either agreeing to and signing the proposed CCA or by notifying the Illinois EPA that the facility rejects the terms of the proposed CCA.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to a prosecutorial authority.

Written communications should be directed to:

Illinois EPA – Division of Public Water Supplies  
Attn: Andrea Rhodes, CAS #19  
P.O. BOX 19276  
Springfield, IL 62794-9276

All communications must include reference to this Violation Notice number, W-2012-00057.

Questions regarding this Violation Notice should be directed to Andrea Rhodes at 217/785-0561.

Sincerely,



Michael Crumly  
Manager, Compliance Assurance Section  
Division of Public Water Supplies  
Bureau of Water

Attachments

cc: Maria Race

CASE ID: 2012-006

**ATTACHMENT A**

**MIDWEST GENERATION, LLC, POWERTON GENERATING STATION, ID:6282  
VIOLATION NOTICE NO. W-2012-00057:**

A review of information available to the Illinois EPA indicates the following on-going violations of statutes, regulations, or permits. Included with each type of violation is an explanation of the activities that the Illinois EPA believes may resolve the violation.

**Groundwater Quality**

No person shall cause, threaten or allow the release of any contaminant to a resource groundwater such that: treatment or additional treatment is necessary to continue an existing use or to assure a potential use of such groundwater; or an existing or potential use of such groundwater is precluded. No person shall cause, threaten or allow the release of any contaminant to groundwater so as to cause a groundwater quality standard to be exceeded. Midwest Generation, LLC must take actions to mitigate existing contamination and prevent the continuing release of contaminants into the environment.

**Violation  
Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-1 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 6.39 su      | 6.5-9.0 su  | 12/12/2011      |
| Boron     | 2.9 mg/l     | 2.0 mg/l    | 3/19/2012       |
| Nitrate   | 11 mg/l      | 10.0 mg/l   | 9/20/2011       |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation  
Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-2 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 6.41 su      | 6.5-9.0 su  | 12/12/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**ATTACHMENT A****MIDWEST GENERATION, LLC, POWERTON GENERATING STATION, ID:6282  
VIOLATION NOTICE NO. W-2012-00057:**

A review of information available to the Illinois EPA indicates the following on-going violations of statutes, regulations, or permits. Included with each type of violation is an explanation of the activities that the Illinois EPA believes may resolve the violation including an estimated time period for resolution.

**Groundwater Quality**

No person shall cause, threaten or allow the release of any contaminant to a resource groundwater such that: treatment or additional treatment is necessary to continue an existing use or to assure a potential use of such groundwater; or an existing or potential use of such groundwater is precluded. No person shall cause, threaten or allow the release of any contaminant to groundwater so as to cause a groundwater quality standard to be exceeded. Midwest Generation, LLC must take actions to mitigate existing contamination and prevent the continuing release of contaminants into the environment.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-1 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 6.39 su      | 6.5-9.0 su  | 12/12/2011      |
| Boron     | 2.9 mg/l     | 2.0 mg/l    | 3/19/2012       |
| Nitrate   | 11 mg/l      | 10.0 mg/l   | 9/20/2011       |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-2 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 6.41 su      | 6.5-9.0 su  | 12/12/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.



## ATTACHMENT A

**MIDWEST GENERATION, LLC, POWERTON GENERATING STATION, ID:6282  
VIOLATION NOTICE NO. W-2012-00057:**

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-4 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 6.37 su      | 6.5-9.0 su  | 12/12/2011      |
| Manganese | 0.35 mg/l    | 0.15 mg/l   | 12/12/2011      |
| Manganese | 0.69 mg/l    | 0.15 mg/l   | 9/20/2011       |
| Manganese | 0.41 mg/l    | 0.15 mg/l   | 6/16/2011       |
| Manganese | 0.68 mg/l    | 0.15 mg/l   | 3/25/2011       |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-5 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 6.34 su      | 6.5-9.0 su  | 12/12/2011      |
| Manganese | 0.26 mg/l    | 0.15 mg/l   | 3/19/2012       |
| Manganese | 0.50 mg/l    | 0.15 mg/l   | 12/12/2011      |
| Manganese | 0.64 mg/l    | 0.15 mg/l   | 9/20/2011       |
| Manganese | 0.48 mg/l    | 0.15 mg/l   | 6/16/2011       |
| Manganese | 0.49 mg/l    | 0.15 mg/l   | 3/25/2011       |
| Manganese | 0.51 mg/l    | 0.15 mg/l   | 12/15/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-6 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Manganese | 0.61 mg/l    | 0.15 mg/l   | 3/19/2012       |
| Manganese | 0.63 mg/l    | 0.15 mg/l   | 12/12/2011      |
| Manganese | 0.66 mg/l    | 0.15 mg/l   | 9/20/2011       |
| Manganese | 0.63 mg/l    | 0.15 mg/l   | 6/16/2011       |
| Manganese | 0.68 mg/l    | 0.15 mg/l   | 3/25/2011       |
| Manganese | 0.68 mg/l    | 0.15 mg/l   | 12/15/2010      |

**ATTACHMENT A**

**MIDWEST GENERATION, LLC, POWERTON GENERATING STATION, ID:6282  
 VIOLATION NOTICE NO. W-2012-00057:**

**Violation  
Description**

MW-6 continued

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Chloride  | 210 mg/l     | 200 mg/l    | 9/20/2011       |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation  
Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-7 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 6.45 su      | 6.5-9.0 su  | 12/12/2011      |
| Arsenic   | 0.23 mg/l    | 0.05 mg/l   | 3/19/2012       |
| Arsenic   | 0.23 mg/l    | 0.05 mg/l   | 12/12/2011      |
| Arsenic   | 0.18 mg/l    | 0.05 mg/l   | 9/20/2011       |
| Arsenic   | 0.12 mg/l    | 0.05 mg/l   | 6/16/2011       |
| Arsenic   | 0.085 mg/l   | 0.05 mg/l   | 3/25/2011       |
| Iron      | 31 mg/l      | 5.0 mg/l    | 3/19/2012       |
| Iron      | 26 mg/l      | 5.0 mg/l    | 12/12/2011      |
| Iron      | 22 mg/l      | 5.0 mg/l    | 9/20/2011       |
| Iron      | 10 mg/l      | 5.0 mg/l    | 6/16/2011       |
| Iron      | 7.5 mg/l     | 5.0 mg/l    | 3/25/2011       |
| Iron      | 8.0 mg/l     | 5.0 mg/l    | 12/15/2010      |
| Lead      | 0.039 mg/l   | 0.0075 mg/l | 12/15/2010      |
| Manganese | 11 mg/l      | 0.15 mg/l   | 3/19/2012       |
| Manganese | 12 mg/l      | 0.15 mg/l   | 12/12/2011      |
| Manganese | 12 mg/l      | 0.15 mg/l   | 9/20/2011       |
| Manganese | 6.4 mg/l     | 0.15 mg/l   | 6/16/2011       |
| Manganese | 5.9 mg/l     | 0.15 mg/l   | 3/25/2011       |
| Manganese | 3.5 mg/l     | 0.15 mg/l   | 12/15/2010      |
| Selenium  | 0.054 mg/l   | 0.05 mg/l   | 12/12/2011      |
| TDS       | 1,400 mg/l   | 1,200 mg/l  | 3/19/2012       |
| TDS       | 1,300 mg/l   | 1,200 mg/l  | 12/12/2011      |
| TDS       | 1,300 mg/l   | 1,200 mg/l  | 9/20/2011       |
| TDS       | 1,300 mg/l   | 1,200 mg/l  | 6/16/2011       |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

## ATTACHMENT A

**MIDWEST GENERATION, LLC, POWERTON GENERATING STATION, ID:6282  
VIOLATION NOTICE NO. W-2012-00057:**

**Violation  
Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-8 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Manganese | 0.27 mg/l    | 0.15 mg/l   | 3/19/2012       |
| Manganese | 0.20 mg/l    | 0.15 mg/l   | 12/12/2011      |
| Manganese | 0.18 mg/l    | 0.15 mg/l   | 9/20/2011       |
| Manganese | 0.29 mg/l    | 0.15 mg/l   | 6/16/2011       |
| Manganese | 0.27 mg/l    | 0.15 mg/l   | 3/25/2011       |
| Chloride  | 210 mg/l     | 200 mg/l    | 9/20/2011       |
| Chloride  | 210 mg/l     | 200 mg/l    | 3/25/2011       |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation  
Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-9 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 6.31 su      | 6.5-9.0 su  | 12/12/2011      |
| Manganese | 0.22 mg/l    | 0.15 mg/l   | 3/19/2012       |
| Manganese | 0.28 mg/l    | 0.15 mg/l   | 12/12/2011      |
| Manganese | 0.48 mg/l    | 0.15 mg/l   | 6/16/2011       |
| Manganese | 0.45 mg/l    | 0.15 mg/l   | 3/25/2011       |
| Manganese | 0.43 mg/l    | 0.15 mg/l   | 2/15/2011       |
| Manganese | 0.23 mg/l    | 0.15 mg/l   | 12/16/2010      |
| Manganese | 0.19 mg/l    | 0.15 mg/l   | 12/15/2010      |
| Selenium  | 0.072 mg/l   | 0.05 mg/l   | 3/25/2011       |
| Boron     | 2.6 mg/l     | 2.0 mg/l    | 3/19/2012       |
| Boron     | 2.7 mg/l     | 2.0 mg/l    | 12/12/2011      |
| Boron     | 2.5 mg/l     | 2.0 mg/l    | 9/20/2011       |
| Boron     | 2.5 mg/l     | 2.0 mg/l    | 9/19/2011       |
| Boron     | 2.1 mg/l     | 2.0 mg/l    | 12/16/2010      |
| Boron     | 2.2 mg/l     | 2.0 mg/l    | 12/15/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

## ATTACHMENT A

**MIDWEST GENERATION, LLC, POWERTON GENERATING STATION, ID:6282  
VIOLATION NOTICE NO. W-2012-00057:**

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-10 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 6.03 su      | 6.5-9.0 su  | 12/12/2011      |
| Manganese | 2.3 mg/l     | 0.15 mg/l   | 3/19/2012       |
| Manganese | 2.3 mg/l     | 0.15 mg/l   | 12/12/2011      |
| Manganese | 2.3 mg/l     | 0.15 mg/l   | 9/20/2011       |
| Manganese | 3.8 mg/l     | 0.15 mg/l   | 6/16/2011       |
| Manganese | 2.8 mg/l     | 0.15 mg/l   | 3/25/2011       |
| Manganese | 2.1 mg/l     | 0.15 mg/l   | 12/15/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-11 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 6.48 su      | 6.5-9.0 su  | 12/12/2011      |
| Manganese | 2.9 mg/l     | 0.15 mg/l   | 3/19/2012       |
| Manganese | 2.5 mg/l     | 0.15 mg/l   | 12/12/2011      |
| Manganese | 2.9 mg/l     | 0.15 mg/l   | 9/19/2011       |
| Manganese | 2.2 mg/l     | 0.15 mg/l   | 6/16/2011       |
| Manganese | 3.6 mg/l     | 0.15 mg/l   | 2/15/2011       |
| Manganese | 3.2 mg/l     | 0.15 mg/l   | 12/16/2010      |
| Boron     | 2.3 mg/l     | 2.0 mg/l    | 3/19/2012       |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-12 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Iron      | 5.6 mg/l     | 5.0 mg/l    | 6/16/2011       |
| Iron      | 6.3 mg/l     | 5.0 mg/l    | 2/15/2011       |
| Iron      | 5.5 mg/l     | 5.0 mg/l    | 12/15/2010      |

## ATTACHMENT A

**MIDWEST GENERATION, LLC, POWERTON GENERATING STATION, ID:6282  
VIOLATION NOTICE NO. W-2012-00057:**

**Violation  
Description**

MW-12 Continued:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Manganese | 0.25 mg/l    | 0.15 mg/l   | 12/12/2011      |
| Manganese | 0.37 mg/l    | 0.15 mg/l   | 9/19/2011       |
| Manganese | 0.26 mg/l    | 0.15 mg/l   | 6/16/2011       |
| Manganese | 0.58 mg/l    | 0.15 mg/l   | 2/15/2011       |
| Manganese | 0.32 mg/l    | 0.15 mg/l   | 12/15/2010      |
| Mercury   | 0.0096 mg/l  | 0.002 mg/l  | 12/15/2010      |
| Chloride  | 210 mg/l     | 200 mg/l    | 12/12/2011      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation  
Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-13 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Manganese | 3.5 mg/l     | 0.15 mg/l   | 4/10/2012       |
| Manganese | 3.5 mg/l     | 0.15 mg/l   | 12/12/2011      |
| Manganese | 3.6 mg/l     | 0.15 mg/l   | 10/13/2011      |
| Manganese | 2.6 mg/l     | 0.15 mg/l   | 8/9/2011        |
| Manganese | 2.9 mg/l     | 0.15 mg/l   | 6/16/2011       |
| Manganese | 2.7 mg/l     | 0.15 mg/l   | 4/25/2011       |
| Manganese | 3.8 mg/l     | 0.15 mg/l   | 2/15/2011       |
| Manganese | 5.0 mg/l     | 0.15 mg/l   | 12/15/2010      |
| Selenium  | 0.056 mg/l   | 0.05 mg/l   | 8/9/2011        |
| Boron     | 4.0 mg/l     | 2.0 mg/l    | 4/10/2012       |
| Boron     | 4.1 mg/l     | 2.0 mg/l    | 12/12/2011      |
| Boron     | 3.0 mg/l     | 2.0 mg/l    | 10/13/2011      |
| Boron     | 2.7 mg/l     | 2.0 mg/l    | 8/9/2011        |
| Boron     | 3.0 mg/l     | 2.0 mg/l    | 6/16/2011       |
| Boron     | 2.6 mg/l     | 2.0 mg/l    | 4/25/2011       |
| Boron     | 3.1 mg/l     | 2.0 mg/l    | 2/15/2011       |
| Boron     | 3.9 mg/l     | 2.0 mg/l    | 12/15/2010      |
| Sulfate   | 1,100 mg/l   | 400 mg/l    | 4/10/2012       |
| Sulfate   | 1,100 mg/l   | 400 mg/l    | 12/12/2011      |
| Sulfate   | 660 mg/l     | 400 mg/l    | 10/13/2011      |
| Sulfate   | 440 mg/l     | 400 mg/l    | 8/9/2011        |
| Sulfate   | 540 mg/l     | 400 mg/l    | 6/16/2011       |
| Sulfate   | 580 mg/l     | 400 mg/l    | 4/25/2011       |
| Sulfate   | 770 mg/l     | 400 mg/l    | 2/15/2011       |
| Sulfate   | 1,400 mg/l   | 400 mg/l    | 12/15/2010      |

## ATTACHMENT A

**MIDWEST GENERATION, LLC, POWERTON GENERATING STATION, ID:6282**  
**VIOLATION NOTICE NO. W-2012-00057:**

**Violation****Description**

MW-13 continued:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Sulfate   | 580 mg/l     | 400 mg/l    | 4/25/2011       |
| Sulfate   | 770 mg/l     | 400 mg/l    | 2/15/2011       |
| Sulfate   | 1,400 mg/l   | 400 mg/l    | 12/15/2010      |
| TDS       | 2,300 mg/l   | 1,200 mg/l  | 4/10/2012       |
| TDS       | 2,100 mg/l   | 1,200 mg/l  | 12/12/2011      |
| TDS       | 1,500 mg/l   | 1,200 mg/l  | 10/13/2011      |
| TDS       | 1,300 mg/l   | 1,200 mg/l  | 6/16/2011       |
| TDS       | 1,400 mg/l   | 1,200 mg/l  | 4/25/2011       |
| TDS       | 1,600 mg/l   | 1,200 mg/l  | 2/15/2011       |
| TDS       | 2,600 mg/l   | 1,200 mg/l  | 12/15/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-14 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| pH        | 6.05 su      | 6.5-9.0 su  | 12/12/2011      |
| Manganese | 0.63 mg/l    | 0.15 mg/l   | 4/10/2012       |
| Manganese | 0.84 mg/l    | 0.15 mg/l   | 10/13/2011      |
| Manganese | 0.57 mg/l    | 0.15 mg/l   | 8/9/2011        |
| Manganese | 0.36 mg/l    | 0.15 mg/l   | 6/16/2011       |
| Manganese | 0.29 mg/l    | 0.15 mg/l   | 4/25/2011       |
| Manganese | 0.81 mg/l    | 0.15 mg/l   | 2/15/2011       |
| Manganese | 0.68 mg/l    | 0.15 mg/l   | 12/15/2010      |
| Selenium  | 0.065 mg/l   | 0.05 mg/l   | 4/25/2011       |
| Thallium  | 0.0034 mg/l  | 0.002 mg/l  | 4/10/2012       |
| Thallium  | 0.0027 mg/l  | 0.002 mg/l  | 8/9/2011        |
| Thallium  | 0.0039 mg/l  | 0.002 mg/l  | 6/16/2011       |
| Thallium  | 0.0035 mg/l  | 0.002 mg/l  | 4/25/2011       |
| Sulfate   | 990 mg/l     | 400 mg/l    | 4/10/2012       |
| Sulfate   | 880 mg/l     | 400 mg/l    | 12/12/2011      |
| Sulfate   | 850 mg/l     | 400 mg/l    | 10/13/2011      |
| Sulfate   | 940 mg/l     | 400 mg/l    | 8/9/2011        |
| Sulfate   | 810 mg/l     | 400 mg/l    | 6/16/2011       |
| Sulfate   | 770 mg/l     | 400 mg/l    | 4/25/2011       |
| Sulfate   | 820 mg/l     | 400 mg/l    | 2/15/2011       |
| Sulfate   | 960 mg/l     | 400 mg/l    | 12/15/2010      |

**ATTACHMENT A**

**MIDWEST GENERATION, LLC, POWERTON GENERATING STATION, ID:6282  
 VIOLATION NOTICE NO. W-2012-00057:**

**Violation  
Description**

MW-14 continued:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Chloride  | 240 mg/l     | 200 mg/l    | 8/9/2011        |
| TDS       | 2,200 mg/l   | 1,200 mg/l  | 4/10/2012       |
| TDS       | 1,800 mg/l   | 1,200 mg/l  | 12/12/2011      |
| TDS       | 1,800 mg/l   | 1,200 mg/l  | 10/13/2011      |
| TDS       | 2,000 mg/l   | 1,200 mg/l  | 8/9/2011        |
| TDS       | 1,900 mg/l   | 1,200 mg/l  | 6/16/2011       |
| TDS       | 1,800 mg/l   | 1,200 mg/l  | 4/25/2011       |
| TDS       | 1,700 mg/l   | 1,200 mg/l  | 2/15/2011       |
| TDS       | 1,800 mg/l   | 1,200 mg/l  | 12/15/2010      |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation  
Description**

Operations at ash impoundments have resulted in violations of the Groundwater Quality Standards at monitoring well MW-15 for the following constituents:

| Parameter | Sample Value | GW Standard | Collection Date |
|-----------|--------------|-------------|-----------------|
| Manganese | 0.25 mg/l    | 0.15 mg/l   | 4/10/2012       |
| Manganese | 0.39 mg/l    | 0.15 mg/l   | 12/12/2011      |
| Manganese | 0.48 mg/l    | 0.15 mg/l   | 10/13/2011      |
| Manganese | 0.37 mg/l    | 0.15 mg/l   | 8/9/2011        |
| Manganese | 0.60 mg/l    | 0.15 mg/l   | 6/16/2011       |
| Manganese | 0.36 mg/l    | 0.15 mg/l   | 4/25/2011       |
| Manganese | 0.42 mg/l    | 0.15 mg/l   | 2/15/2011       |
| Manganese | 0.56 mg/l    | 0.15 mg/l   | 12/15/2010      |
| Sulfate   | 650 mg/l     | 400 mg/l    | 6/16/2011       |
| Chloride  | 210 mg/l     | 200 mg/l    | 8/9/2011        |
| TDS       | 1,600 mg/l   | 1,200 mg/l  | 6/16/2011       |

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.