

Tod Satterthwaite
502 S. Elm St.
Champaign, IL 61820

RECEIVED
CLERK'S OFFICE

MAR - 4 2016

STATE OF ILLINOIS
Pollution Control Board

PC#3932

March 1, 2016

Illinois Pollution Control Board
Attn: John Therriault, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601

RE: R14-10; COAL COMBUSTION WASTE (CCW) ASH PONDS AND SURFACE
IMPOUNDMENTS AT POWER GENERATING FACILITIES: PROPOSED NEW 35 ILL.
ADM. CODE 841

Dear Mr. Therriault,

I am one of the owners of Kickapoo Landing, the canoe livery that is just a few miles downstream from the retired Vermilion Power Station at 10188 East 2150 North Oakwood, Illinois 61858. Dynegy Midwest Generation, LLC closed this plant in 2011, but it continues to threaten the health and safety of my community, my business and our water resources.

I'm concerned about the serious public health hazard and environmental threat to my community from the three 'legacy' coal ash ponds left at this site. The ash ponds located in the western floodplain of the Middle Fork of the Vermilion River, the state's only National Scenic River, have leaked coal ash, and the arsenic, mercury, and lead that it contains, into the river and the groundwater. The Illinois EPA has issued a violation notice for groundwater pollution and rejected the closure action plans proposed by Dynegy. In response, Dynegy has refused to take further action. The river continues to move towards these impoundments, the coal ash is seeping into the river and polluting groundwater, the closure plans are insufficient, and Dynegy is taking no action.

The federal CCR rules do not govern coal ash impoundments located at now-shuttered power generating facilities, including the Vermilion Power Station. In 2014, Vermilion County groups including the Vermilion County Board, Soil & Water Conservation District, Vermilion County Conservation Foundation, and the Lake Vermilion Water Quality Coalition called on the IPCB to

address regulatory shortcomings in the absence of existing rules to regulate the comprehensive closure of sites like Vermilion. We need state rules that require the safe long-term storage of toxins that are now in coal ash ponds

Please strengthen and implement the Illinois rules as quickly as possible so that my business and my community are protected from impacts of the coal ash pits at the retired Vermillion Power Station.

Thank you,

A handwritten signature in black ink, reading "Tod Satterthwaite". The signature is written in a cursive style with a large initial "T".

Tod Satterthwaite
Co-owner, Kickapoo Landing, Inc.

Therriault, John

From: Verena Owen <verena.owen@gmail.com>
Sent: Friday, March 04, 2016 2:11 PM
To: Therriault, John
Cc: Jesiel@ilhousegop.org; Melinda@senatormelindabush.com
Subject: R14-10; COAL COMBUSTION WASTE (CCW) ASH PONDS AND SURFACE IMPOUNDMENTS AT POWER GENERATING FACILITIES: PROPOSED NEW 35 ILL. ADM. CODE 841

Verena Owen
421 Ravine Drive
Winthrop Harbor, IL 60096

PC#3933

March 4, 2016

Illinois Pollution Control Board
Attn: John Therriault, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601

RE: R14-10; COAL COMBUSTION WASTE (CCW) ASH PONDS AND SURFACE IMPOUNDMENTS AT POWER GENERATING FACILITIES: PROPOSED NEW 35 ILL. ADM. CODE 841

Dear Mr. Therriault,

I live in NE Lake County, not far from the Waukegan coal plant. Winthrop Harbor is small community on the shores of Lake Michigan. We are the home of the largest marina on Lake Michigan. Good water quality is of importance to the economic and general well-being of my community and its citizens and visitors.

We get our drinking water from Lake Michigan. People fish, swim, and boat.

I have been concerned about the existence of the two ash ponds at the NRG Waukegan coal plant for a while.

NRG aka Midwest Generation, LLC recently posted an annual inspection report for the two coal ash ponds at which each hold over 50,000 cubic yards of coal combustion residue (CCR). CCR contains a number of hazardous materials such as heavy metals and all this is stored within a 1000 feet of Lake Michigan!

While those ponds have plastic liners, monitoring reports from their groundwater wells have revealed groundwater contamination from pollutants found in coal ash. We have also learned that coal ash had been stored elsewhere on the site in the past and was never cleaned up. The plant has been in operation decade before the ash ponds were built. Coal ash from the plant is also likely to be contributing to groundwater contamination.

The first annual inspection report, now required for the East and West ash ponds and linked below, documents threats to the structural stability of the basins including slopes bare of vegetation, evidence of animal burrows, and the need for measures to control erosion. In addition, the inspection found that a pipe conveying CCR as part of the inlet distribution system for East Basin was disconnected. Failures of proper operation such as these raise concerns about potential impacts on groundwater and surface water.

Regulations need to be in place to protect communities and tax payers if and when those kinds of ponds close.

The Illinois rules for consideration before you for closure of ash ponds would require compliance with Illinois groundwater and surface water quality standards, a protection that the federal coal ash rule lacks. Those requirements are needed to protect Lake Michigan water, especially considering the prior exceedances of water quality standards reported at this site and other sites across the state.

The state rule is also an important opportunity to include financial assurances, as recommended by the Illinois Attorney General's office. We need these assurance so that my community and the state isn't left to cover cleanup and closure costs as we have from so many other industrial businesses on our lakefront.

I urge you to move forward with the rulemaking!

Thank you.

Sincerely,

Verena Owen

cc: State Senator Melinda Bush

State Representative Sheri Jesiel

<http://www.nrg.com/legal/coal-combustion-residuals/Waukegan - Waukegan, IL>

David Villalobos
City of Waukegan: 4th Ward Alderman
227 N. West St.

PCA 3934

3/4/16

Illinois Pollution Control Board
Attn: John Therriault, Clerk
Illinois Pollution Control Board

RE: R14-10; COAL COMBUSTION WASTE (CCW) ASH PONDS AND SURFACE IMPOUNDMENTS AT POWER GENERATING FACILITIES: PROPOSED NEW 35 ILL. ADM. CODE 841

Dear Mr. Therriault,

I'm a resident and elected official living near the Waukegan Generating Station at 401 East Greenwood Ave. Waukegan, Illinois 60087. Midwest Generation, LLC recently posted an annual inspection report for the two coal ash ponds at this site, which each hold approximately 53,616 cy of coal combustion residue (CCR).

I'm concerned about the serious public health hazard and environmental threat to my community from the coal ash ponds. Coal ash is a byproduct of coal combustion and contains high levels of harmful heavy metals such as arsenic, lead, selenium, and many more. Waukegan plant has two active coal ash ponds that sit just over 300 yards from the shore of Lake Michigan. While the ponds have plastic liners, monitoring reports from these groundwater wells have revealed groundwater contamination from common pollutants of coal ash, such as arsenic, boron, manganese, sulfates, pH, chloride, iron, selenium and total dissolved solids.¹ On-going monitoring around these ponds continue to show exceedances of many of these pollutants even after Illinois EPA got involved. Additionally, we have learned that coal ash had been stored elsewhere on the site in the past and never cleaned up. This coal ash is also likely to be contributing to groundwater contamination. This follows the terrible pattern of companies who go into bankruptcy and abruptly leave our community and lakefront behind with a devastating legacy of pollution that our community and taxpayers have to clean up.

The annual inspection report for the East and West Ash Basins documented threats to the structural stability of the basins including slopes bare of vegetation, evidence of animal burrows, and the need for measures to control erosion. In addition, the inspection found that a pipe conveying CCR as part of the inlet distribution system for East Basin was disconnected. The report says that this pipe should be reconnected as soon as feasible and prior to utilization of the inlet distribution system. Failures of proper operation such as the disconnection of this pipe and instability of the pond slopes raise concerns about potential impacts on surrounding groundwater and surface water.

If or when these ash ponds are closed, we need strong protections against such impacts. The Illinois rules for closure would require compliance with Illinois groundwater and surface water quality standards, a protection that the federal coal ash rule lacks. These requirements are needed to protect the water supplies for residents in the area and aquatic life, especially considering the prior exceedances of water quality standards reported at this site.

The state rule is also an important opportunity to include financial assurances, as recommended by the Illinois Attorney General's office. We need these assurance so that my community and the state isn't left to cover cleanup and closure costs as we have from so many other industrial businesses on our lakefront. Making sure companies with coal ash ponds clean up their by-product is essential to create more long-term opportunities for re-use of these properties that will be important for economic development for Waukegan. Waukegan is committed to revitalizing the lakefront and has begun taking steps to do so. A clean lakefront for Waukegan can only enhance in attracting citizens, economics, and development.

Please implement the Illinois rules as quickly as possible so that my family and community are protected from impacts of the coal ash pits at the Waukegan Generating Station.

Thank you,
David Villalobos

cc: State Representative Rita Mayfield
State Senator Terry Link