Carlisle, Michelle

From: Sue.Corcoran@cwlp.com
Sent: Tuesday, January 09, 2018 8:57 AM
To: PJ.Becker@cwlp.com; Eric.Staley@cwlp.com
Subject: draft letter
Attachments: Draft Letter to IEPA sample list.docx

Ex. 31

I am not good at putting on letter head. I need to dig up address yet

Darin,

On May 15, 2009, Illinois Environmental Protection Agency (Agency) sent City Water Light and Power (CWLP) a request for a Hydrogeologic Assessment Plan to demonstrate compliance with Title 35 part 620 Groundwater Quality Standards for our two ash ponds.

CWLP voluntarily complied and on July 14, 2009, submitted a Plan that included a proposal to install piezometers and sample groundwater. This Plan was agreed to by the Agency with an additional request to use the complete parameter list from Part 620.410 on January 8, 2010. On September 22, 2010, CWLP submits a Hydrogeologic Assessment and well sampling data.

CWLP voluntarily continues quarterly groundwater sampling. There is a meeting with the Agency on August 3, 2011 to discuss groundwater sampling results. This meeting was followed up by a letter from the Agency dated October 19, 2011 requiring a statistical evaluation and a continued sampling request in a Groundwater Monitoring Program (GWMP). CWLP submits this program on November 18, 2011. On December 29, 2011 the Agency approves this plan with the allowance to drop sampling parameters that are non-detectable. May 30, 2012 CWLP submits an updated GWMP, followed by a statistical evaluation on June 21, 2013.

February 20, 2014 CWLP received a VN that alleged exceedences of the Groundwater Quality Standards. As you are aware, these wells were voluntarily installed and samples. Results were submitted to the Agency by CWLP pursuant to a GWMP that was voluntarily filed with the Agency for approval (and approved) pursuant to the Agency's request as part of the Agency's Ash Impoundment Strategy. On May 12, 2014, CWLP proposed a CCA, that on May 29, 2014 was denied by the Agency.

On April 17, 2015, effective October 14, 2015, USEPA published 40 CFR Part 257, for the regulation and management of CCR Impoundments and Landfills. Illinois EPA has been unsuccessful in passing State regulations for CCR Impoundments. CWLP has been diligently following the final CCR regulation, while still voluntarily continuing the extensive quarterly sampling parameter list at Part 620.410. Also note that CWLP's current effective NPDES permit, does not have a Special Condition to require an IEPA approved GWMP.

CWLP is required to comply with the Federal Rule Part 257. In October 2017, CWLP completed a GWMP. Following this , CWLP will complete a GWMP evaluation at the end of January 2018. At theis time, CWLP will be making a transition from sampling the Part 620.410 parameter list to the parameter list as required by the Federal regulations found at 40 CFR Part 257, Appendix III and IV.