ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR LISA BONNETT, DIRECTOR

cy: PJ Christine

217/785-0561

February 20, 2014

CERTIFIED MAIL # 7011 1150 0001 0861 4228
RETURN RECEIPT REQUESTED

J. Michael Houston
800 East Monroe Street
Municipal Center West
Springfield, IL 62701

Ex. 45

Re: Violation Notice: SPRINGFIELD – CITY WATER, LIGHT, AND POWER
Facility No.: IL1671200
Violation Notice No.: W-2014-00002

Dear Mr. Houston:

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, including an estimate of a reasonable time period to complete the necessary activities. 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.

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-2014-00002.

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: Sue Corcoran

BOW ID: W1678050005

ATTACHMENT A

SPRINGFIELD CITY WATER, LIGHT, AND POWER, IL1671200
VIOLATION NOTICE NO. W-2014-00002:

Questions regarding the violations identified in this attachment should be referred to Andrea Rhodes at (217) 785-0561.

A review of information available to the Illinois EPA indicates the following 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. City Water, Light, and Power 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 AP-1R for the following constituents:

Parameter	Sample Value	GW Standard	Collection Date
Boron	18.9 mg/L	2.0 mg/L	11/20/2013
Boron	14.7 mg/L	2.0 mg/L	08/28/2013
Boron	7.76 mg/L	2.0 mg/L	05/23/2013
Boron	3.9 mg/L	2.0 mg/L	02/21/2013
Boron	4.3 mg/L	2.0 mg/L	11/28/2012
Boron	15.2 mg/L	2.0 mg/L	08/23/2012
Boron	10.4 mg/L	2.0 mg/L	04/25/2012
Boron	14.6 mg/L	2.0 mg/L	02/22/2012
Sulfate	581 mg/L	400 mg/L	11/20/2013
Sulfate	597 mg/L	400 mg/L	08/28/2013
Sulfate	603 mg/L	400 mg/L	05/23/2013
Sulfate	506 mg/L	400 mg/L	02/21/2013
Sulfate	488 mg/L	400 mg/L	11/28/2012
Sulfate	469 mg/L	400 mg/L	08/23/2012
Sulfate	463 mg/L	400 mg/L	04/25/2012
Sulfate	521 mg/L	400 mg/L	02/22/2012
TDS	1250 mg/L	1200 mg/L	11/20/2013
TDS	1380 mg/L	1200 mg/L	08/28/2013
TDS	1390 mg/L	1200 mg/L	05/23/2013

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

SPRINGFIELD CITY WATER, LIGHT, AND POWER, IL1671200
VIOLATION NOTICE NO. W-2014-00002:

Violation Description

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

Parameter	Sample Value	GW Standard	Collection Date
Boron	2.63 mg/L	2.0 mg/L	06/01/2010

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 AP-2R for the following constituents:

Parameter	Sample Value	GW Standard	Collection Date
Boron	4.78 mg/L	2.0 mg/L	11/20/2013
Boron	5.46 mg/L	2.0 mg/L	08/28/2013
Boron	5.01 mg/L	2.0 mg/L	05/23/2013
Boron	10.0 mg/L	2.0 mg/L	02/21/2013
Boron	6.24 mg/L	2.0 mg/L	11/28/2012
Boron	6.88 mg/L	2.0 mg/L	08/24/2012
Boron	5.51 mg/L	2.0 mg/L	04/25/2012
Boron	5.0 mg/L	2.0 mg/L	02/22/2012

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 AP-3 for the following constituents:

Parameter	Sample Value	GW Standard	Collection Date
Boron	20.6 mg/L	2.0 mg/L	11/20/2013
Boron	21.3 mg/L	2.0 mg/L	08/28/2013
Boron	18.7 mg/L	2.0 mg/L	05/23/2013
Boron	29.1 mg/L	2.0 mg/L	02/21/2013
Boron	8.03 mg/L	2.0 mg/L	11/28/2012
Boron	20.9 mg/L	2.0 mg/L	08/24/2012
Boron	18.4 mg/L	2.0 mg/L	04/25/2012

ATTACHMENT A

SPRINGFIELD CITY WATER, LIGHT, AND POWER, IL1671200
VIOLATION NOTICE NO. W-2014-00002:

Violation
Description
AP-3 continued

Parameter	Sample Value	GW Standard	Collection Date
Boron	17.7 mg/L	2.0 mg/L	02/22/2012
Boron	11.9 mg/L	2.0 mg/L	06/01/2010

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.