

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
WATER POLLUTION CONTROL PERMIT

LOG NUMBERS: 0664-10

PERMIT NO.: 2010-EB-0664

FINAL PLANS, SPECIFICATIONS, APPLICATION
AND SUPPORTING DOCUMENTS

DATE ISSUED: September 15, 2010

PREPARED BY: Natural Resource Technology Group

SUBJECT: MIDWEST GENERATION LLC - Powerton Generating Station - Bypass Basin Expansion and Liner Upgrade
- Discharge Tributary to the Illinois River

PERMITTEE TO CONSTRUCT AND OPERATE

Midwest Generation, LLC
235 Remington Blvd., Suite A
Bolingbrook, IL 60440

Permit is hereby granted to the above designated permittee(s) to construct and operate water pollution control facilities described as follows:

The southern bank of the Bypass Basin at the Powerton Generating Station located at 13082 East Manito Rd. in Pekin, Illinois will be relocated 40 feet to the south increasing the basin volume by approximately 200,000 gallons, and the following will be added; a 60-mil HDPE liner, a 12-inch sand or limestone screening cushion layer, and a 6-inch dense-graded aggregate warning layer. The reconstructed bank will maintain a 3 to 1 slope with a 10 ft wide access road at the top.

Once complete the liner system will consist of the existing chlorosulfonated polyethylene liner on the side slopes and 12-inch thick layer of lime, fly ash, and aggregate at the base and the new 60 mil HDPE Geomembrane liner, 12-inch cushion layer and 6-inch warning layer. The DMF of the basin will remain unchanged at 32.4 MGD. The working volume will be 1.7 million gallons at 2 feet of freeboard.

This operating permit expires on August 31, 2015.

This Permit is issued subject to the following Special Condition(s). If such Special Condition(s) require(s) additional or revised facilities, satisfactory engineering plan documents must be submitted to this Agency for review and approval for issuance of a Supplemental Permit.

SPECIAL CONDITION 1: The Permittee to Construct shall be responsible for obtaining an NPDES Storm Water Permit prior to initiating construction if the construction activities associated with this project will result in the disturbance of one (1) or more acres total land area.

An NPDES Storm Water Permit may be obtained by submitting a properly completed Notice of Intent (NOI) form by certified mail to the Agency's Division of Water Pollution Control - Permit Section."

SPECIAL CONDITION 2: The operational portion of the discharge from the Secondary Ash settling basin shall be governed by NPDES Permit No. IL0002232.


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THE STANDARD CONDITIONS OF ISSUANCE INDICATED ON THE REVERSE SIDE MUST BE COMPLIED WITH IN FULL. READ ALL CONDITIONS CAREFULLY.

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DIVISION OF WATER POLLUTION CONTROL

cc: EPA-Peoria FOS
Natural Resource Technology Group
Records - Industrial
Binds


Alan Keller, P.E.
Manager, Permit Section



MWG13-15_30421

**READ ALL CONDITIONS CAREFULLY:
STANDARD CONDITIONS**

The Illinois Environmental Protection Act (Illinois Revised Statutes Chapter 111-12, Section 1039) grants the Environmental Protection Agency authority to impose conditions on permits which it issues.

1. Unless the construction for which this permit is issued has been completed, this permit will expire (1) two years after the date of issuance for permits to construct sewers or wastewater sources or (2) three years after the date of issuance for permits to construct treatment works or pretreatment works.
2. The construction or development of facilities covered by this permit shall be done in compliance with applicable provisions of Federal laws and regulations, the Illinois Environmental Protection Act, and Rules and Regulations adopted by the Illinois Pollution Control Board.
3. There shall be no deviations from the approved plans and specifications unless a written request for modification of the project, along with plans and specifications as required, shall have been submitted to the Agency and a supplemental written permit issued.
4. The permittee shall allow any agent duly authorized by the Agency upon the presentations of credentials:
 - a. to enter at reasonable times, the permittee's premises where actual or potential effluent, emission or noise sources are located or where any activity is to be conducted pursuant to this permit;
 - b. to have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit;
 - c. to inspect at reasonable times, including during any hours of operation of equipment constructed or operated under this permit, such equipment or monitoring methodology or equipment required to be kept, used, operated, calibrated and maintained under this permit;
 - d. to obtain and remove at reasonable times samples of any discharge or emission of pollutants;
 - e. to enter at reasonable times and utilize any photographic, recording, testing, monitoring or other equipment for the purpose of preserving, testing, monitoring, or recording any activity, discharge, or emission authorized by this permit.
5. The issuance of this permit:
 - a. shall not be considered as in any manner affecting the title of the premises upon which the permitted facilities are to be located;
 - b. does not release the permittee from any liability for damage to person or property caused by or resulting from the construction, maintenance, or operation of the proposed facilities;
 - c. does not release the permittee from compliance with other applicable statutes and regulations of the United States, of the State of Illinois, or with applicable local laws, ordinances and regulations;
 - d. does not take into consideration or attest to the structural stability of any units or parts of the project;
 - e. in no manner implies or suggests that the Agency (or its officers, agents or employees) assumes any liability, directly or indirectly, for any loss due to damage, installation, maintenance, or operation of the proposed equipment or facility.
6. Unless a joint construction/operation permit has been issued, a permit for operating shall be obtained from the agency before the facility or equipment covered by this permit is placed into operation.
7. These standard conditions shall prevail unless modified by special conditions.
8. The Agency may file a complaint with the Board for suspension or revocation of a permit:
 - a. upon discovery that the permit application contained misrepresentations, misinformation or false statement or that all relevant facts were not disclosed; or
 - b. upon finding that any standard or special conditions have been violated; or
 - c. upon any violation of the Environmental Protection Act or any Rules or Regulation effective thereunder as a result of the construction or development authorized by this permit.

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SPECIAL CONDITION 3: All sludges generated on site shall be disposed of at a site and in a manner acceptable to the Agency.

SPECIAL CONDITION 4: The existing Midwest Generation waste storage lagoon shall adhere to the following groundwater protection elements:

1. A minimum of three monitoring wells must be installed around the Bypass Basin. At least one of the monitoring wells must be located down gradient of the basin approximately 25 feet from the toe of the berm or edge of the ash impoundment.
2. The monitoring wells should be constructed using local conditions as a guide, but must be screened and constructed to allow the collection of representative groundwater samples. In general, the monitoring wells should be cased to at least 10 feet below grade, with a screen that intersects the water table surface. Provide drillers logs and well completion reports, and an updated monitoring well location map after well completion.
3. An adequate number of samples must be obtained to establish a statistically valid representation of water quality (background) that has not been impacted by this unit or other units at this facility.
4. Sample monitoring wells for the chemical parameters listed in 35 IAC 620.410(a) and (d). The sampling plan will be required as part of the permit. Static groundwater elevation must be collected before each monitoring event. The following parameters listed below should also be sampled.

Specific Conductance
Temperature
Depth to Water (bls)
Depth to Water (bmp)
Elevation of MP
Elevation of GW Surface

5. Groundwater samples must be analyzed and reported at least quarterly. Copies of the groundwater monitoring well sample analysis shall be submitted to the following addresses:

Illinois EPA
Division of Water Pollution Control
Compliance Assurance Section
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

Illinois EPA
DWPC - Peoria Region
5415 North University Ave.
Peoria, Illinois 61614

Illinois EPA
Hydrogeology and Compliance Unit
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

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2. The construction or development of facilities covered by this permit shall be done in compliance with applicable provisions of Federal laws and regulations, the Illinois Environmental Protection Act, and Rules and Regulations adopted by the Illinois Pollution Control Board.
3. There shall be no deviations from the approved plans and specifications unless a written request for modification of the project, along with plans and specifications as required, shall have been submitted to the Agency and a supplemental written permit issued.
4. The permittee shall allow any agent duly authorized by the Agency upon the presentations of credentials:
 - a. to enter at reasonable times, the permittee's premises where actual or potential effluent, emission or noise sources are located or where any activity is to be conducted pursuant to this permit;
 - b. to have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit;
 - c. to inspect at reasonable times, including during any hours of operation of equipment constructed or operated under this permit, such equipment or monitoring methodology or equipment required to be kept, used, operated, calibrated and maintained under this permit;
 - d. to obtain and remove at reasonable times samples of any discharge or emission of pollutants;
 - e. to enter at reasonable times and utilize any photographic, recording, testing, monitoring or other equipment for the purpose of preserving, testing, monitoring, or recording any activity, discharge, or emission authorized by this permit.
5. The issuance of this permit:
 - a. shall not be considered as in any manner affecting the title of the premises upon which the permitted facilities are to be located;
 - b. does not release the permittee from any liability for damage to person or property caused by or resulting from the construction, maintenance, or operation of the proposed facilities;
 - c. does not release the permittee from compliance with other applicable statutes and regulations of the United States, of the State of Illinois, or with applicable local laws, ordinances and regulations;
 - d. does not take into consideration or attest to the structural stability of any units or parts of the project;
 - e. in no manner implies or suggests that the Agency (or its officers, agents or employees) assumes any liability, directly or indirectly, for any loss due to damage, installation, maintenance, or operation of the proposed equipment or facility.
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 - c. upon any violation of the Environmental Protection Act or any Rules or Regulation effective thereunder as a result of the construction or development authorized by this permit.