

Illinois Environmental Protection Agency (IEPA)
Notice of Application and Public Hearing for 401 Water Quality Certification

Dynegy Midwest Generation, L.L.C.
Middle Fork Vermilion River Bank Stabilization
Vermilion County

Public Hearing

Tuesday, March 26, 2019 at 6:00 p.m.

Danville Area Community College (Gymnasium)
2000 East Main Street
Danville, Illinois 61832

The IEPA Bureau of Water has received an application for a Section 401 water quality certification (Log. No. C-0091-18) for discharge into waters of the United States associated with a Section 404 permit application (COE appl. # 2018-602) received by the United States Army Corps of Engineers. The name and address of the applicant is Dynegy Midwest Generation, L.L.C., 1500 Eastport Plaza Drive, Collinsville, Illinois 62234.

The applicant has applied for Section 401 water quality certification for impacts associated with an erosion mitigation and streambank stabilization project along 2,000 linear feet of the right descending bank of the Middle Fork Vermilion River near Oakwood, Illinois. The purpose of the project is to protect the streambank from erosion and minimize the downstream sedimentation associated with the 2.3 feet per year erosion rate.

The IEPA will consider comments regarding whether the intended activities of the applicant will cause: 1) violations of the water quality standards of Subtitle C of the Pollution Control Board's rules, 2) violations of any other applicable Pollution Control Board regulation, 3) noncompliance with Sections 301, 302, 303, 306, and 307 of the Clean Water Act, and 4) interference with existing water uses, particularly public recreation, on the affected water. The purpose of the hearing is to allow interested persons to provide comments to the IEPA regarding these issues before a final decision on the certification application is made.

Those desiring to make oral comments at the hearing will be asked to complete a registration card. Following opening remarks and instructions, those registered to speak, will be called forward, one at a time, by name, to make comments on the record. The hearing officer reserves the right to impose reasonable measures, including time limits on those providing comments, in order to conduct an orderly hearing.

The IEPA has made a tentative determination to issue the Section 401 water quality certification in accordance with 35 Illinois Administrative Code (IAC) Subtitle C (*Water Pollution*), the Illinois Environmental Protection Act and the federal Clean Water Act. The 401 certification process is governed by the provisions of 35 IAC Part 395, *Procedures and Criteria for Certification of Applications for Federal Permits or Licenses for Discharges into Waters of the State*, which can be obtained online at <https://pcb.illinois.gov/documents/dsweb/Get/Document-12064/>. Inquiries about the certification should be directed to the project engineer, Darren Gove, IEPA Division of Water Pollution Control, Permit Section, 1021 North Grand Avenue East, Springfield, Illinois 62794-9276, phone 217-782-3362, or e-mail darren.gove@illinois.gov. The water quality certification application is available for examination at the IEPA offices in Springfield. Relevant documents, including the public notice for this project, can be viewed on the IEPA website: <https://www2.illinois.gov/epa/public-notice/Pages/section-401-notice.aspx>.

Requests for special needs interpreters must be made to the IEPA hearing officer by **February 28, 2019**. The hearing will be held under the provisions of 35 Ill. Adm. Code Part 164, *Procedures for Informational Public Hearings*, which can be obtained online at <https://pcb.illinois.gov/documents/dsweb/Get/Document-11864/>.

Written comments must be received at IEPA headquarters in Springfield or emailed by 11:59 p.m., April 25, 2019, when the hearing record closes (e-mail comments **must be sent to epa.publichearingcom@illinois.gov** and must specify **Dynegy Midwest Generation 401 or COE 2018-602** in the subject line). Email comments originating on third party systems or servers intended for submittal of multiple emails of the same or nearly the same content will not be accepted without prior written approval from the hearing officer. Comments need not be notarized and are to be sent to:

Hearing Officer Dean Studer
Dynegy Midwest Generation 401
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P. O. Box 19276
Springfield, IL 62794-9276
Phone 217-558-8280

E-mail: epa.publichearingcom@illinois.gov
TDD (hearing impaired) 866-273-5488

Questions regarding the hearing process for this proceeding (and not intended to be included in the hearing record) can be emailed to the hearing officer at dean.studer@illinois.gov.