

COAL ASH HEARING

LINCOLN STONE QUARRY

PUBLIC HEARING ON COAL ASH PERMITS

When: 6:00 pm Wednesday, July 31st, 2024

Where: Weitendorf Agricultural Education Center
17840 W Laraway Rd, Joliet, IL 60433

Regarding: Operating Permit for Lincoln Stone Quarry

Written Comments Due: Thursday, August 15, 2024 (midnight)



OVERVIEW

The July 31st hearing is an opportunity for the public to provide input on an operating permit regarding the Lincoln Stone Quarry, a coal ash impoundments at the Joliet 9 power plant. The permit and the hearing are required by Illinois' coal ash rules (called Part 845 - see reverse side for details). This hearing is an opportunity to provide input on plans for the coal ash at Lincoln Stone Quarry.

POWER PLANT OVERVIEW

Joliet 9 Generating Station
Coal / Natural Gas Power Plant
Owner: NRG Energy / Midwest Generation
Location: Joliet, Illinois
Operation: 1959 - 2023 (closed)

NRG is seeking a coal ash impoundment **operating permit** for the Lincoln Stone Quarry. Coal ash from the Joliet 9 and Joliet 29 power plants has been dumped in the unlined, leaking Lincoln Stone Quarry since 1962. Millions of tons of coal ash sit as much as 60-70 feet deep in groundwater. Reports show that the coal ash is leaching toxic contaminants, including arsenic, lithium, molybdenum, and more, into that water. The operating permit does not include the plan for closing the impoundment, which is covered by a construction permit that is still under review.

THE PERMIT DOES NOT REQUIRE ADEQUATE GROUNDWATER MONITORING AT AND NEAR LSQ

There are not enough monitoring wells or wells in the right locations to identify where all the contaminated groundwater has traveled. Additionally, the baseline "background" wells for shallow groundwater are very polluted and, therefore, cannot establish baseline conditions.

THE PERMIT PROVIDES INSUFFICIENT FUNDS FOR PROPER CLOSURE

The operating permit includes approval of bonds that NRG obtained to pay for closure of Lincoln Stone Quarry, but NRG has only provided enough money to cap — not remove — the coal ash. Keeping the ash in place is not a valid closure method at LSQ, so NRG must set aside adequate funding to excavate and safely move the ash.

THE PERMIT APPLICATION IS INCOMPLETE AND ITS APPROVAL CIRCUMVENTS PUBLIC INPUT

The permit application did not meet standards for granting a permit. Instead of requiring NRG to revise their application, Illinois EPA is allowing them to submit application materials after issuing the permit. This would leave those materials outside of the public review process. The law requires the application to be complete before issuing the permit — not after.

THE PERMIT SHOULD USE BINDING LANGUAGE TO ENSURE NRG FOLLOWS THE PERMIT

The permit is like a contract, and needs to use binding language. If approved, NRG should be bound to the plans they have proposed in their permit application, and the permit needs to say that.

**FLIP OVER FOR AN OVERVIEW
OF ILLINOIS COAL ASH RULES**

ILLINOIS COAL ASH RULES OVERVIEW

CONTACT

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PUBLIC INPUT ON COAL ASH IMPOUNDMENT PERMITS

Illinois's coal ash rules started in 2021 and are now moving to a phase of public input. Coal ash impoundment owners have submitted permit applications to the Illinois EPA. The Illinois EPA has reviewed the permits, and is now proposing to take action (see the flip side for specific details). As the Illinois EPA finishes their review of a permit application, the law requires them to take public input through written comments and hearings. This document is intended to help you understand the permits and the rules, and to prepare you to participate in the public process.

UNDERSTANDING THE ILLINOIS COAL ASH RULES ("PART 845")

A coal ash impoundment is a big pit full of coal ash. The rules, called Part 845, require that owners and operators of coal ash impoundments acquire **operating permits** for each impoundment and **construction permits** for any major project, including closure.

OPERATING PERMITS

Operating Permits cover the "day-to-day" operation of an impoundment (ie. dust control, emergency action plans, flood control plans, safety inspections, and groundwater monitoring), a demonstration that the impoundment meets location restrictions, and a certificate of financial assurances. The requirement to start monitoring groundwater for pollution is perhaps the most important part of an operating permit, because detecting pollution can trigger cleanup action.

GROUNDWATER MONITORING

Groundwater Monitoring, which is required by the operating permit, is a system of groundwater sampling wells that is designed to detect pollution from coal ash. The rules require frequent monitoring of groundwater levels (so we know where the groundwater is and where it is moving) and testing for pollution. If pollution is detected, it can trigger clean up requirements.

FINANCIAL ASSURANCES

Financial Assurances requires coal ash owners to acquire letters of credit, surety bonds or other select assurances to cover the costs of cleanup and closure.

CONSTRUCTION PERMITS

Construction Permits are required for any major project at an impoundment, including:

- **Closure.** Includes the evidence to support the closure option and requirements for the closure and post-closure process. All impoundments are required to eventually close.
- **Retrofit.** An existing impoundment can be retrofitted, such as the installation of a new liner, if it doesn't meet design requirements.
- **Corrective Action.** If pollution is identified, corrective action may be required (such as injecting underground walls, running pumps, or removing the coal ash).

LOCATION RESTRICTIONS

Location Restrictions are rules about where an impoundment can be located. Coal ash impoundments must close if they do not meet restrictions related to proximity to aquifers, wetlands, floodplains, and areas with seismic stability concerns.

RECORDKEEPING & NOTICE

Recordkeeping and Notice requirements ensure the public has access to information about coal ash near them and is notified when something changes. Illinois EPA has a notification listserv.