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STATE OF ILLINOIS  
ENVIRONMENTAL PROTECTION AGENCY

IN RE:

NOTICE OF WATER DISCHARGE PERMIT PUBLIC HEARING NPDES  
PERMIT IL0001970  
AMEREN ENERGY RESOURCES GENERATING COMPANY  
AMEREN-EDWARDS POWER STATION

PUBLIC HEARING  
WEDNESDAY, AUGUST 7, 2013

## I N D E X

1		
2	<u>SPEAKERS</u>	<u>PAGE</u>
3	Dean Studer	6, throughout
4	Scott Twait	13, 31
5	Deborah Williams	13
6	James Cowles	14
7	James Luckey	19, 49
8	Margaret Gurtler	21
9	Joyce Harant	22
10	Julie Luner	23
11	Dale Kuntz	24
12	William Henning	25
13	Dean Woelfle	26
14	Don Necessary	27, 46
15	Joe Laszlo	28
16	Mike Curry	29
17	Joyce Blumenshine	30, 49
18	Robin Garlysh	32
19	Traci Barkley	34, 46
20	Chris Golden	36
21	Jacob Leibel	37
22	Katie McFadden	38
23	Alyssa McMillon	40
24	Jay Williams	42

1	Greg Flebbe	43
2	Robert Mitchell	44, 50
3	Deanna Wubben	45
4		
5		
6		
7		
8		
9		
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11		
12		
13		
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STATE OF ILLINOIS  
ENVIRONMENTAL PROTECTION AGENCY (IEPA)

IN RE:  
NOTICE OF WATER DISCHARGE PERMIT PUBLIC HEARING NPDES  
PERMIT IL0001970  
AMEREN ENERGY RESOURCES GENERATING COMPANY  
AMEREN-EDWARDS POSER STATION

PUBLIC HEARING held on Wednesday, the 7<sup>th</sup> day of  
August, 2013, between the hours of 6:00 P.M. and 7:45 P.M.  
at the Pekin Public Library, 301 South 4<sup>th</sup> Street, Pekin  
Illinois, 61554, before Carmella Traverso, a  
Registered Certified Shorthand Reporter and a Notary Public  
within and for the State Of Illinois.

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## A P P E A R A N C E S

HEARING OFFICER:

DEAN STUDER:  
Illinois Environmental Protection Agency  
1021 Grand Avenue East  
P.O.BOX 19276  
Springfield, Illinois 62794-9276  
217-558-8280  
[dean.studer@illinois.gov](mailto:dean.studer@illinois.gov)

FOR THE IEPA:

SCOTT A. TWAIT, Engineer  
Standards Section, Bureau of Water

JAMES COWLES, Permit Writer  
Permit Section

DEBORAH J. WILLIAMS, Assistant Counsel  
Division of Legal Counsel

COURT REPORTER:

CARMELLA TRAVERSO, Illinois CSR  
15540 West Janas Drive  
Homer Glen, Il. 60491  
708-704-4773

Hearing began at 6:00 P.M.

1           DEAN STUDER: If you have not registered and want to  
2 be on our mailing list to this proceeding and have not completed  
3 a registration card, please do so at this point. There are  
4 registration cards available on the back registration table.  
5 When we do a final decision in this matter, we will do a  
6 responsiveness summary, is what we call it, it is where we list  
7 the issues and our responses to those. If you are on our  
8 mailing list you will also be notified when that is available  
9 and be given access to that. I do want everyone to have access  
10 and be aware of how we proceed. If you would like to be notified  
11 and receive that information, please complete a registration card.  
12 Also, if you are planning to make comments this evening, I ask  
13 you to complete a registration card.

14           Likewise, we are going to have a tight timeframe tonight.  
15 If you are going to make a comment, I am going to need the cards  
16 completed with an indication that you would like to speak, so I  
17 can conduct an orderly and efficient hearing tonight. I don't want  
18 to shortchange anyone, but at the same time, I want to ensure that  
19 we have an efficient and orderly hearing. Thank you.

20           Good evening, my name is Dean Studer, and I am the  
21 Hearing Officer for the Illinois Environmental Protection Agency.  
22 On behalf of our Director Lisa Bonnet, I welcome you to tonight's  
23 hearing. It's good to see a group of people show up, and I  
24 want to extend my personal welcome to you this evening. My

1 purpose tonight is to ensure that this proceeding runs efficiently  
2 and according to rules.

3 At this time I need to point out a couple of facts the  
4 Illinois EPA has discovered in the hearing notice for this  
5 proceeding. The first is that the NPDES Permit Number given  
6 in certain places in the hearing notice was incorrect. The correct  
7 NPDES Permit Number for this facility is I-L-0-0-0-1-9-7-0,  
8 that's IL0001970.

9 The hearing notice contains also two typos, one in the  
10 address for Ameren and the second is the "w" in Edwards was  
11 omitted. I wanted to point that out, because if you submit  
12 e-mail comments, it is important that "Edwards" be spelled correctly.  
13 These e-mail comments are electronically sorted. Corrected hearing  
14 notices have been prepared. If you picked up a hearing notice at  
15 this hearing this evening, you have the corrected notice.  
16 Corrected hearing notice has also been posted on the Illinois  
17 EPA Webpage for this proceeding

18 This is an informational hearing before the Illinois  
19 EPA in the matter of a renewal of the National Pollutant Discharge  
20 Elimination System (NPDES) Permit for the Ameren ED Edwards  
21 Power Station. The Illinois EPA has made a preliminary  
22 determination that the project meets the requirements for  
23 obtaining a permit and has prepared a draft reissued permit  
24 for review.

1           The authority for Illinois EPA to reissue this permit is  
2           contained in Section 39 of the Illinois Environmental Protection  
3           Act, 415 ILCS 5/39. In pertinent part, this section reads,  
4           "It shall be the duty of the Agency to issue such a permit upon  
5           proof by the applicant that the facility, equipment, vehicle,  
6           vessel, or aircraft will not cause a violation of this Act or  
7           of regulations hereunder." The decision by the Agency in this  
8           matter will be based upon the technical merits of the  
9           application as it relates to compliance with statutes and  
10          regulations promulgated under it. The Agency decision will  
11          not be based on how many people desire for the permits to be  
12          issued or on how many people desire for the permits not to be  
13          issued, but rather on compliance with laws and regulations.

14                 Issues must relate to the NPDES permit in some way this  
15          evening. Jamie Cowles, a Permit Engineer in the Division  
16          of Water Pollution Control at the Agency will read a brief  
17          statement and provide some basic information on his permit  
18          reissuance in his opening remarks, and these will be made  
19          following my opening statement. Other issues relevant to  
20          tonight's hearing include compliance with the requirements  
21          of the Clean Water Act and the rules set forth in 35 Illinois  
22          Administrative Code, Subtitle C, potential impacts to receiving  
23          waters from the proposed discharges, and water quality in  
24          the receiving waters.

1           I also wish to point out that while this is a power  
2 station, issues dealing with air pollution and emissions are  
3 not the subject of this hearing and issues involving air  
4 pollution and emissions control will not be discussed this  
5 evening, unless they have a direct bearing on the NPDES permit,  
6 wastewater control equipment, or some other aspect of water  
7 pollution control. If the subject matter of your comments begin  
8 to drift into these areas and away from NPDES issues, I will  
9 interrupt and ask that you move to your next relevant issue.  
10 Let's try and keep the issues pertaining to the NPDES permit.

11           The Illinois EPA is holding this hearing for the purpose  
12 of accepting comments from the public on this draft permit.  
13 This public hearing is being held under the provisions of the  
14 Illinois EPA's procedures for permit and closure plan hearings  
15 which can be found in 35 Illinois Administrative Code, Part 166,  
16 Subpart A and in accordance with the requirements of the Illinois  
17 Pollution Control Board NPDES regulations of 35 Ill. Administrative  
18 Code Sections 309.115 through 309.119. Copies of these regulations  
19 are available at the Illinois Pollution Control Board website at  
20 [www.ipcb.state.il.us](http://www.ipcb.state.il.us), or, if you do not have easy access to the  
21 web, you may contact me and I will get a copy for you.

22           An information hearing means exactly that. This is  
23 strictly an informational hearing. It is an opportunity for you  
24 to provide information to the Illinois EPA concerning the permit.

1 This is not a contested case hearing.

2 I would like to explain how tonight's hearing is going to  
3 proceed. First, I will have the Illinois EPA Panel introduce  
4 themselves and provide a sentence or two regarding their  
5 involvement in the permit review process. Then, Permit Engineer,  
6 Jamie Cowles, will speak regarding the draft permit. This will  
7 be followed by further instructions as to how statements and  
8 comments will be taken during this hearing and as to appropriate  
9 conduct during this hearing. Following these additional  
10 instructions, I will allow the public to speak, starting with  
11 the permit applicant making a brief opening statement.

12 Please note that we have a sizeable crowd here tonight,  
13 and this hearing must conclude no later than 8:00 P.M.  
14 Therefore, I will impose a strict time limit on each speaker.  
15 I must strictly enforce that time limit. If you go longer  
16 than the allotted time, you will likely be infringing on  
17 someone else's ability to comment at this hearing, so please  
18 be thoughtful of others in attendance here this evening.

19 If you have not signed a registration card at this  
20 time or completed a registration card, please see  
21 Barb Lieberoff at the registration table, and she can provide  
22 you with one. You may indicate on the card that you desire  
23 to make oral comments tonight. Everyone completing a card  
24 legibly or providing their business card to Ms. Lieberoff

1       tonight or submitting written comments during the comment period  
2       will be notified when the Illinois EPA reaches a final decision in  
3       this matter. A responsiveness summary will be made available at  
4       that time.

5               In the responsiveness summary the Illinois EPA will  
6       respond to all relevant and significant issues that were raised  
7       at this hearing or submitted to me prior to the close of the  
8       comment period. The comment period in this matter will close  
9       on September 6, 2013. I will accept written comments as long as  
10      they are postmarked by September 6<sup>th</sup>.

11              Illinois EPA is committed to resolving outstanding issues  
12      and reaching a final decision in this matter in an expeditious  
13      manner. However, the actual decision date in this matter will  
14      depend upon a number of factors including the number of comments  
15      received, the substantive content of those comments, staffing  
16      considerations, as well as other factors.

17              During tonight's hearing and during the comment period,  
18      relevant comments, documents, and data will be placed into the  
19      hearing record as exhibits. Please send all written comments,  
20      documents, or data to my attention. And that's Dean Studer,  
21      Hearing Officer, RE: Ameren ED Edwards NPDES, Illinois EPA,  
22      1021 North Grand Avenue East, P.O.BOX 19276, Springfield,  
23      Illinois 62794-9276. For those of you that couldn't keep up  
24      with me on that, this is also available on the hearing

1 notice that's available in the back of the room. Please reference  
2 Ameren ED Edwards NPDES or the NPDES Permit Number on your comments  
3 to help ensure that your comments actually become part of this  
4 hearing record. And again, that NPDES Permit Number is  
5 I-L-0-0-0-1-9-7-0. In addition, e-mail comments will be accepted  
6 if sent to [epa.publichearingcom@illinois.gov](mailto:epa.publichearingcom@illinois.gov). That information  
7 is also available on the hearing notice in the back of the room.  
8 I note that this is the only e-mail address for submitting  
9 comments regarding this proceeding. Comments have been sent  
10 to other e-mail addresses, and this does present some issues.  
11 In short, I cannot assure that e-mail comments sent to any other  
12 e-mail address will make it into the record for this proceeding.  
13 All e-mail comments should contain the words, "Ameren ED Edwards  
14 NPDES" or "IL0001970" in the subject line of the e-mails to help  
15 ensure that they are included in the record in this matter.  
16 Please make sure that these words are spelled correctly, as,  
17 like I said, e-mails are electronically sorted and distributed  
18 and may not make it into the record if the subject line words  
19 are misspelled.

20 When your e-mail arrives, the system should send you  
21 an automated reply if the e-mail was received before the comment  
22 period ends, and the e-mail has been properly sorted and  
23 distributed. Please note that the server can become quite busy  
24 in the minutes before the record closes, so you may want to

1 take this into account when submitting your comments, as  
2 electronic comments received at or after the stroke of midnight  
3 as the date changes from September 6 to September 7 will not be  
4 considered timely filed.

5 I also point out that I have received several dozen  
6 comments from parties that have been submitted from a server  
7 intended to send the same comments to me. In the hearing notice  
8 it is stated that - Excuse me - I stated in the hearing notice that  
9 was made available six and-a-half weeks ago, that I must give  
10 approval for these types of comments to be submitted. To date,  
11 I have given no such approval. So if you submit comments from a  
12 third-party server, please ensure that the comments are filed  
13 correctly. If you do not receive an automated reply, then your  
14 comments were not sent to the appropriate place.

15 I will now ask the Illinois EPA Panel members to introduce  
16 themselves and provide a sentence or two regarding their role  
17 in the permit review process. Then Jamie Cowles, the Permit  
18 Engineer, will provide a brief statement regarding the permit  
19 application and draft reissued permit.

20 SCOTT TWAIT: My name is Scott Twait, and I work for the  
21 Agency in the Water Quality Standard section.

22 DEBORAH WILLIAMS: My name is Debbie Williams. I am  
23 an Assistant Counsel with the Illinois EPA, and I have been there  
24 for about 15 years. I provide advice to the technical staff on

1 getting the technical requirements into the legal requirements.

2 JAMIE COWLES: I am Jamie Cowles, and I have been with  
3 the Agency for about 6 years. I am a permit writer in the Permit  
4 Section of the Bureau of Water, and I drafted the Ameren  
5 Edwards Permit.

6 In a brief statement, the applicant operates the ED  
7 Edwards Station which is an existing 750 megawatts coal fired  
8 steam electric generating station. The station discharges Once-  
9 Through Condenser Cooling Water, Ash Pond Effluent, Boiler  
10 Blowdown, Intake Screen Backwash, and Storm water Runoff to the  
11 Illinois River. The discharges are permitted by NPDES Permit  
12 Number IL0001970.

13 DEAN STUDER: Thank you, Jamie.

14 While the issues raised tonight may indeed be heartfelt  
15 concerns to many of us here in attendance, applause is not  
16 appropriate during this hearing. And on a similar note, hissing,  
17 booing, jeering are also not appropriate and will not be allowed  
18 this evening.

19 Statements made tonight are to relate to the  
20 the issues involved with the reissuance of this permit.  
21 Specifically, statements and comments that are of a personal  
22 nature or reflect on the character or motive of a person or  
23 group of people are not appropriate in this hearing. If  
24 statements or comments begin to drift into this area, I may

1 interrupt the person speaking and ask that they proceed  
2 to the next relevant issue. As Hearing Officer, I do  
3 intend to treat everyone here tonight in a respectful and  
4 professional manner. I ask that the public and members  
5 of the hearing panel to do the same. If the conduct of  
6 persons attending this hearing should become unruly, I am  
7 authorized to adjourn this hearing should the actions warrant  
8 In such a case, the Illinois EPA would still accept written  
9 comments through the close of the comment period.

10           Since we need to vacate this facility by 8:00 P.M.,  
11 Illinois EPA staff members will be responding to issues  
12 primarily for clarification purposes. We are here tonight  
13 primarily to listen to environmental issues. You may disagree  
14 with or object to some of the statements and comments made  
15 tonight, but this is a public hearing, and everyone has a  
16 right to express their comments on this matter. You will need  
17 to prioritize your comments this evening so that you may say  
18 what you want to say within the time limit. And that time limit,  
19 by the way, will be 2 minutes.

20           If you ask a question that you want the hearing panel  
21 to answer tonight, we will do our best to answer it as briefly  
22 as possible. However, I want you to know that the answer time  
23 will also count towards your 2 minutes. Answers to questions  
24 provided tonight, like I said, count towards the speaker's time

1           Unless you indicate that you would like the question  
2 answered at the hearing this evening, we will simply take the  
3 question down on the record by the Court Reporter, and we will  
4 provide a written response in our responsiveness summary.

5           Written comments are given the same consideration as  
6 oral comments received during this hearing and may be submitted  
7 to the Illinois EPA at any time within the public comment period,  
8 again, which ends on September 6, 2013. Although we will continue  
9 to accept comments through that date, tonight is the only time  
10 that we will accept oral comments. Any person who wishes to make  
11 an oral comment may do so as long as the statements are relevant  
12 to the issues at hand and time allows.

13           If you have lengthy comments, please give only a summary  
14 of those comments during this hearing, and then you may submit  
15 comments in their entirety to me before the close of the comment  
16 period, and I will ensure that they are included in the record  
17 as an exhibit. If your comments fall outside the scope of this  
18 hearing, I will ask you to proceed to your next relevant issue.  
19 For the purpose of allowing everyone to have a chance to comment  
20 and to ensure that we conduct this hearing in a timely fashion,  
21 I will impose a time limit of 2 minutes per speaker. We may  
22 not be able to accommodate all who have indicated a desire to  
23 speak on their registration card, but we will do our very best  
24 in the time that we have available. If we cannot get to everyone

1 this evening, you will be asked to submit your comments in writing.  
2 Again, written comments are given the same weight as comments made  
3 orally at this hearing.

4 I stress that we want to avoid unnecessary repetition.  
5 Once a point is made, it makes no difference if the point is made  
6 once or whether it is made 99 times. It will be considered, and it  
7 will be reflected only once in the responsiveness summary. The  
8 final decision of the Illinois EPA will not be based upon how many  
9 people support or oppose this project, but rather upon the  
10 application and its supporting documents indicating that the  
11 facility will comply with applicable laws and regulations.

12 We have a court reporter here tonight who is  
13 taking a record of these proceedings for the purpose of us  
14 putting together our administrative record. Therefore, for  
15 her benefit please keep the general background noise in the  
16 room to a minimum so that she can hear everything that is said.

17 Illinois EPA will post the transcript of this hearing  
18 on our webpage in the same general place where the hearing  
19 notice, draft permit, and other documents in this matter have  
20 been posted. It is my desire to have this posted in about  
21 two to two-and-a half weeks following the close of this hearing.  
22 However, the actual posting date will depend upon a number of  
23 factors, including when I get the transcript back from the  
24 court reporter.

1           When it is your turn to speak, I will call your name.  
2           Please step forward. I will then call a second name, and that  
3           person should sit in the chair up front. I will then call a  
4           third name, and that person should sit in the following chair.  
5           I want to move this hearing along in as efficiently and as swift  
6           of a manner as we can this evening. So, as a person comes forward  
7           then I will call another name, and they may take the empty chair,  
8           and we will just move down and move accordingly.

9           The person when they come forward to the podium, they should  
10          state their name for the record along with any governmental body,  
11          organization, or association that they are representing. For the  
12          benefit of the court reporter I will ask that you spell your last  
13          name. If there are alternate spellings of your first name, you  
14          may also spell your first name. Once you spell your name, I will  
15          start timing you and you will have 2 minutes to complete your  
16          comments. At the time limit, I will announce that the time is up  
17          and the person seated should come forward and state their name  
18          and proceed accordingly. And I ask that the person in the second  
19          chair to move also accordingly. While they are rising from their  
20          seat, I will announce another name and they can take the  
21          empty, vacated chair. I stress that we do need to keep this  
22          hearing moving this evening.

23          While you are speaking, please direct your attention to  
24          the hearing panel and to the court reporter to ensure that an

1 accurate record of your comments is being made. Prolonged dialogue  
2 with members of the hearing panel or with others here in attendance  
3 will not be permitted. Comments directed to members of the audience  
4 are also not allowed. Again, I remind everyone that the focus of this  
5 hearing is the environmental issues associated with the NPDES permit.

6 Are there any questions regarding the procedures that will  
7 be used for conducting this hearing?

8 (There was no response)

9 Let the record indicate no one raised their hand

10 We have a representative from the company that will be doing  
11 a short, 2-minute statement, and if they would come forward at this  
12 point. I will announce also the first two people that will need to  
13 take their place in the two chairs up front. The first one is  
14 Margaret Gurtler, and the second one is Joyce Harant.

15 JAMES LUCKEY: James Luckey - L-U-C-K-E-Y. Good evening.  
16 My name is James Luckey, and I am Director of the Ameren Energy  
17 Resources Edwards Energy Center, and I appreciate the opportunity  
18 to address the public and the agency during tonight's hearing.  
19 The Edwards Energy record State Center has an exemplary record  
20 on environmental compliance as evidenced by our air and  
21 wastewater discharge records. We have invested millions of  
22 dollars in wastewater and air emissions projects at Edwards,  
23 and these projects are planned to continue in the future.

24 In terms of water we meet, and, in fact, we operate

1 well below all applicable State and Federal water effluent  
2 limitations that are fully protective of health.

3 In fact, the water from the ash pond discharge is  
4 significantly cleaner than the river water that we take in.  
5 Furthermore, we are confident that we will be able to fully  
6 comply with future guidelines expected to come from the EPA.

7 In terms of air, since 1977, nitrous oxide omissions at  
8 Edwards has been reduced by nearly 80 percent, and sulphur dioxide  
9 emissions have been reduced by over 85 percent, while our  
10 utilization has been increased by 33 percent. We have also  
11 significantly reduced our mercury emissions, and that's because  
12 of the significant investments that we have made at our facility.

13 This permit reissuance will enable the Edwards Energy  
14 Center to continue operations as we comply with the new wastewater  
15 discharge conditions related to thermal discharge.

16 The Edwards Energy Center provides well-paying jobs for  
17 the local community. The facility employs approximately 111  
18 full-time employees, as well as additional contractors who  
19 invest their savings in the nearby area. In fact, the Edwards  
20 Energy Center is estimated to provide more than \$108 million  
21 dollars in total economic impact, primarily within Peoria and  
22 Tazewell Counties. Our employees invest their time and their  
23 earnings and many activities, such as United Way and other  
24 community organizations.

1           In closing, the reissuance of this NPDES Permit is  
2           necessary for continued responsible and efficient operation of  
3           the Edwards Energy Center. I want my friends and our neighbors  
4           to know in our community that Edwards Energy Center has a strong  
5           environmental compliance program, and we take our commitment  
6           very seriously. Thank you.

7           DEAN STUDER: Thank you. Margaret Gurtler, and Margaret  
8           if you would step forward, and then Joyce Harant if you would  
9           move to the next chair, and then Julie Luner, if you would take  
10          the empty seat. Go ahead.

11          MARGARET GURTLER: I'm Margaret Gurtler - G-U-R-T-L-E-R.  
12          I guess I'm a member of the Sierra Club's Coalition. I have been a  
13          strong advocate of clean air and clean water since long before  
14          climate change became a fact of life. My understanding of the  
15          EPA is that its job is to protect citizens from all kinds of  
16          dangerous pollutants. It would be hard to deny that the Edwards  
17          Coal Fired Power Plant is a polluter to both air and water. And  
18          is, therefore, a threat to our health and environment. The owners-  
19          operators seem to have worked closely with the EPA, and it would  
20          seem that they surely would have had to make drastic improvements  
21          by now, and they haven't.

22          So, in my opinion, this permit should be denied.  
23          I have been an advocate of clean air and water for a long time,  
24          but I can't do anything about the old, dirty, inefficient coal

1       fired power plants across the nation. So, groups like ours  
2       have to demand action where we are. We are here, and the  
3       Edwards Power Plant is here, and we are saying it is a dangerous  
4       polluter. And you, the EPA, can and must do something about it.  
5       Thank you for listening.

6                 DEAN STUDER: Thank you. Dale Kuntz, if you would come  
7       forward.

8                 JOYCE HARANT: My name is Joyce Harant - H-A-R-A-N-T from  
9       Peoria, and I have written comments which I will submit, but I will  
10      just make a few comments. I am from Peoria. I am part of the  
11      Central Illinois Healthy Community Alliance. I have a Bachelor's  
12      Degree in Physiology, and a Masters in Community Health. When  
13      I learned that the Edwards Coal Plant, which is 50 years old, has an  
14      unlined 89-acre coal ash pond through which millions of gallons  
15      of water flow through daily into the river, I was shocked. I  
16      was horrified to then learn that the plant's current water  
17      discharge permit is virtually a free ticket to pass go and dump  
18      as much toxic, and metals, as mercury and lead into the rivers as  
19      it wants to.

20                In addition it has a once-through cooling system that  
21      first traps aquatic life in the intake system from the river and  
22      then dumps the plant's hot cooling water back into the river.  
23      The hot water then causes further ecological damage.

24                In my opinion, we need to be not allowing Ameren to

1 operate their business in a manner that passes on harmful  
2 health impact of toxic heavy metals to residents or the hot  
3 cooling waters to the Illinois River's ecological system. I  
4 ask the EPA to please protect the Illinois River which is a  
5 partial source of our drinking water. And to do that, they  
6 need to require the decrease of the discharge of heavy metals  
7 and other toxins into the river to help restore it and make  
8 it a healthier and safer environment. As a taxpayer, I  
9 expect that the EPA would enforce the highest standards of  
10 pollution control, and that a new NPDES permit will not be  
11 issued without a new assessment of the environment, something  
12 that I believe has not happened since 1979. I want the EPA  
13 to make decisions putting the health of citizens first and not  
14 what seems to be putting it to the bottom of the list, and please  
15 enforce the really toughest and strictest pollution control  
16 standards that we can have. If we have them, let's enforce them.  
17 Thank you.

18 DEAN STUDER: Thank you. Bill Henning, if you would  
19 come forward. Also, if you have changed your mind and you  
20 don't want to speak, just let me know that you pass when I  
21 call your name, and we will go on to the next person. Please  
22 proceed.

23 JULIE LUNER: My name is Julie Luner - L-U-N-E-R,  
24 and I live in Peoria, Illinois.

1           DEAN STUDER: You are going to have to speak into the  
2 microphone so that they can hear you.

3           JULIE LUNER: I work with children in the role  
4 of an occupational therapist. I am especially concerned about  
5 children and pregnant women who eat fish from the river. The  
6 Illinois River is heavily fished and hunted in this area for both  
7 recreational and commercial interests. And it is imperative that  
8 mercury and other heavy metal pollution are monitored and limited.

9           The Illinois River is currently listed as impaired for  
10 fish consumption due to high levels of mercury in fish tissue.  
11 I think it is very short sided to say well, it costs a lot to do  
12 all of this, because in the long term, if we have people who  
13 have physical issues and neurological issues because of consuming  
14 the fish, we have the health costs. And just as a society, the  
15 repercussions for our economy are very great. Thank you.

16           DEAN STUDER: Thank you. Dean Woelfle, if you would come  
17 forward and take the empty seat.

18           DALE KUNTZ: Hi, I'm Dale Kuntz - K-U-N-T-Z. I say  
19 accept this permit. Let Ameren continue to operate. The reason  
20 is because it's a cultural thing. It's not just a set of people  
21 that have great ideas. It's people that have to live here  
22 every day. It's people that are born today and will be living  
23 tomorrow, and they have got to have power. Last night the power  
24 went out at our house, and we know what it is like to be without

1 power. As far as the impact on the fish, the fishing industry,  
2 I don't think it's going to bother us at all. We can send all of  
3 our Asian Carp that we can catch to destinations where they will make  
4 a profit. It's silly to continue this idea that we need to get more  
5 regulations on top of the regulations that we already have. We are  
6 over-regulated now.

7 I would like to know how many ways the State of Illinois  
8 can decrease the funds to the Illinois Environmental Pollution Agency.  
9 That's all I have to say, and thank you.

10 DEAN STUDER: Thank you. And for the empty chair, Don  
11 Necessary.

12 WILLIAM HENNING: William Henning H-E-N-N-I-N-G. I am  
13 a Superintendent at Tech Support at the Edwards Power Station.  
14 Edwards provides significant support for the entire community,  
15 jobs as well as different ways we support local agencies. We  
16 do it all while being the best stewards of the environment that  
17 we could possibly be. I will let the data speak for itself and  
18 not dispute any of that, because that data is all submitted to  
19 the EPA. All our water and everything is monitored and tested.  
20 It's cleaner than what we take in. The easiest way is you  
21 look at what we see every day at the power plant. Right now  
22 at the power plant, every Fall we sit there every day, and  
23 we watch over 12 eagles nest right at our discharge  
24 and feed all Winter long there. There are dozens of

1 blue herons lining right up against our discharges of the  
2 plant, where we are discharging. We have never had a fish kill  
3 designated to the station, and we have not been responsible --  
4 In fact, we have been better stewards, and we respond to other  
5 emergencies trying to help prevent issues on the water that were  
6 not caused from Edwards and came from upstream. And I have seen  
7 that from all the people at the station on numerous times, and we  
8 monitor everything possibly that we can.

9 I urge the EPA to support this permit as written and grant  
10 it to ED Edwards, so we can continue operations and support the  
11 community as needed. Thank you.

12 DEAN STUDER: Thank you. Joe Laszlo, if you would come  
13 forward.

14 DEAN WOELFLE: My name is Dean Woelfle - W-O-E-L-F-L-E.  
15 I am a resident of Pekin, and I am a retired American Government  
16 U. S. History Teacher, still teaching probably for another week.  
17 The point being that we are all Illinoisans. We are all Central  
18 Illinoisans. The EPA's job is to monitor the quality of the water  
19 in the Illinois River. I am sure everyone working for Ameren does  
20 an excellent job in terms of what their responsibilities are. This  
21 isn't a we versus they or an us versus them situation. It's a  
22 situation where we all drink the water, and we are all members of  
23 Illinois. We need to be responsible for standards. They are  
24 actually higher than what we are looking at now. The last testing

1 from the information that I have of the impact assessment was in  
2 1979. The ecological damage assessment has not been done in 34 years.  
3 We need to update. We need to come into 2013 to make sure that  
4 our children, our grandchildren, and the future generations have  
5 the quality of water we grew up with. Thank you.

6 DEAN STUDER: Thank you. Okay, Mike Curry, would  
7 you please come forward and take the next seat.

8 DON NECESSARY: My name is Don Necessary - N-E-C-E-S-S-A-R-Y.  
9 I grew up in Morton, and I am 60 years old. I have been staring  
10 at the emissions of this plant for as long as I can remember. I  
11 just want to make a couple of points. I was surprised to see  
12 that the coal power station is still allowed to have a coal ash  
13 pond discharge. I thought that was something that the rest of  
14 the world doesn't do anymore. But apparently, we are still doing  
15 it, up to 5 million gallons. And that was another astonishing  
16 number I see in here. We are monitoring the heavy metals that  
17 are going into the river, but we are not limiting the heavy metals.  
18 Mercury - I know that we have - women and children shouldn't be  
19 eating the fish from this river. At a hearing two years ago on  
20 the Illinois River, I heard that fish quality, you shouldn't eat  
21 more than a pound of fish a day from this river. I'm a naturalist.  
22 I lead hiking groups. I fish the river. I have family members  
23 who live here in Pekin, and we boat on the river. I did not know  
24 that we have all this going on from this power plant. I have one

1 question I would like to have the panel answer. On the discharges  
2 I don't see - and this recent flood brought this to my mind -  
3 when there's a flooding, are they required to let you know when their  
4 coal ash pond is breached or the levy is breached there, and there's  
5 runoff. How much runoff is brought back into the river? I see they  
6 are allowed to pump excess water during a flood, but it doesn't say  
7 what stage level, if there's a breach - If it's a breach, obviously,  
8 it's still mixing. So, that's something I would like to know what the  
9 EPA's position is on that.

10 And then finally, like I say, people fish here. And I am  
11 very interested in every lake and hiking area South of here, all the  
12 way to Missouri and into the Mississippi River, and I think that  
13 environmentally, this is crazy that we are still allowing effluent  
14 off of a coal ash pond going back into the river. Thank you.

15 DEAN STUDER: Thank you Mr. Necessary. Joyce Blumenshine.

16 JOE LASZLO: I Joe Laszlo - L-A-S-Z-L-O. I am a resident  
17 in Peoria County. I have a PHD in Biochemistry, and I have been  
18 practicing for the past 40 years. I have been inspecting the permit  
19 here, and I see under Special Condition 4, that the temperature of  
20 the discharged waters are quite high permissible during the Summer  
21 up to 90 degrees. My assessment of this is that this is a very  
22 high temperature. Our water monitoring of the Illinois River  
23 upstream has shown that during the Summer, the dissolved  
24 concentrations can get quite low to such levels that the fish

1 are no longer viable at those temperatures and low oxygen conditions.  
2 So, I am quite concerned that what's happening here is that we  
3 are permitting too high a temperature for the water discharge,  
4 and what we need is actually some data to either say that they are  
5 not harming the environment or we may be.

6 So, I am asking you before you allow this permit to go  
7 forward, that you provide or have the company provide an updated  
8 environmental impact assessment to see if we are adversely affecting  
9 aquatic life. Thank you.

10 DEAN STUDER: Thank you. Robin Garlysh.

11 MIKE CURRY: Hello, I am Mike Curry, and I am  
12 Building Trade Journeyman with Steamfitter's Local 353, and I  
13 am also a former officer of that Trade Unit.  
14 that unit. Currently, we are seeing --

15 DEAN STUDER: Can you spell your last name for the record,  
16 please?

17 MR. CURRY: Yes. It's C-U-R-R-Y. Currently, our  
18 union is seeing approaching levels of unemployment of close  
19 to 20 percent. One thing with Edward's Station, is three  
20 generations of my family have worked at that particular plant,  
21 ranging anywhere from brick layers to boiler makers to steam  
22 fitters. That plant is income. I would have to estimate a  
23 thousand of our members, active and inactive, have benefitted  
24 in pension, wages, taxes - Federal and local - and if that permit

1 is issued that will continue. Thank you.

2 MR. STUDER: While Joyce is coming forward. The empty  
3 seat - Traci Barkley.

4 JOYCE BLUMENSHINE: Thank you. My name is Joyce  
5 Blumenshine - B-L-U-M-E-N-S-H-I-N-E. I am the Chair Person for  
6 Heart of Illinois Group Sierra Club which has over 800 members  
7 in Tazewell, Peoria, Fulton, and other counties in the Central  
8 Illinois area. We thank the IEPA for this hearing tonight.  
9 I am very concerned with our group that this plant is an old  
10 coal fired power plant. You heard earlier that their best  
11 available technology assessment has not been updated since the  
12 1970's. That's atrocious. That's inexcusable. We talk about  
13 changes that have happened in this current time to computers.  
14 Let's look at the changes that should have happened in the  
15 operation of this plant. We know the bank house was not  
16 updated. We know this plant has been a sorry stepchild in the  
17 Ameren fleet of plants for too long and has dumped unregulated  
18 heavy metals and pollution into the river.

19 I specifically would like to refer to the Clean Water  
20 Act. Water quality standards are a cornerstone of that Act, and  
21 a part of that that is essential is water quality based effluent  
22 limits.

23 I would like specifically to ask Mr. Scott Twait on my  
24 back time tonight about mercury. I am very concerned about the

1 cumulative health impact, negative environmental impact, and  
2 societal costs and health costs for generations of mercury and  
3 its poisonings. And I would like to know from Scott, Sir, if you  
4 could please comment, will the IEPA be requiring water quality based  
5 effluent limits for mercury and will it require regular testing for  
6 mercury?

7 SCOTT TWAIT: Yes, there is regular testing for mercury.  
8 I won't try to find it in the permit, but it's twice a year. And  
9 speaking to mercury, the Agency before the renewal collected 12  
10 samples, and we have determined that there's no reasonable potential  
11 to exceed water quality standards. And so, we are not limiting  
12 the permit for mercury.

13 JOYCE BLUMENSHINE: Thank you for your answer. I contest  
14 that. I protest. I ask you to please reassess your consideration  
15 as proof and submission of documents tonight. I have the Federal  
16 EPA, Enforcement and Compliance History Online documents that  
17 show a violations history at the plant. There are numerous substances  
18 listed. I believe as recently as February of a few years ago,  
19 there was an exceedance of mercury in nanograms per liter that was  
20 4 points over the base standards. There is documented evidence of a  
21 need for mercury testing because of known --

22 DEAN STUDER: We are out of time.

23 JOYCE BLUMENSHINE: Thank you very much.

24 DEAN STUDER: Chris Golden.

1           ROBIN GARLYSH: My name is Robin Garlysh - G-A-R-L-Y-S-H.  
2 I am a concerned resident, and I am also a member of the Central  
3 Illinois Healthy Community Alliance. I am concerned, personally,  
4 for the residents of this area and around the river. And I am  
5 concerned for the employees also as a whole. I am one of many  
6 residents in this area with children and other family members who  
7 struggle with a lot of the health conditions that are known from  
8 these chemicals, the mercury, lead, arsenic and so on.

9           My mother-in-law just started her first chemotherapy  
10 yesterday, as we sat with her for 5 hours. I have children who  
11 have heavy chests from asthmatic conditions. I have a 34 year  
12 old son who has eczema that is possibly caused from these conditions.  
13 There's other factors, but these are some of the major factors  
14 that come from these chemicals.

15           I wanted to ask Mr. Luckey if there was any way of  
16 seeing the documentation at some time or being directed in the  
17 right direction for some of the things that you had spoken of.  
18 As I am up here, it's shocking to think that while my family  
19 and my friends and my community go boating, camping, fishing,  
20 picnicking, that we are all being exposed to the deadly toxins  
21 from this plant and the employees. We were boating this weekend,  
22 and there were fathers and sons, it looked like maybe some  
23 grandsons, families that were fishing on the Illinois River just  
24 right over here a few blocks, and they don't have a clue about

1 any fish eating limits. They don't have a clue. There's  
2 nothing in our newspapers. There's nothing on our news about a  
3 daily limit on anything for the fish. And I do have these pictures -  
4 I guess I will give them to you when I am done speaking. They are  
5 for the exhibit for you to keep. We took the pictures of the families  
6 that were boating and were camping and skiing. You can see the toxic  
7 waste floating, which I also have pictures of, out of the metal -  
8 and I am not real familiar with structural things. And this -  
9 I thought it was Styrofoam, but it was this brown stuff floating  
10 straight down a line to the Pekin Boat Club and to where the  
11 Pavilion is at the Pekin Park and the public boat ramp.

12 I don't understand this. I moved here in 1986. We raised  
13 our children to water ski, to fish, to boat, and to enjoy the  
14 outdoor life.

15 DEAN STUDER: We are at the time limit. I will give you  
16 one sentence or two to finish up.

17 ROBIN GARLYSH: Okay, thank you. I am just thoroughly  
18 appalled and concerned for everybody, residents and employees.  
19 So, I hope that there is a solution.

20 DEAN STUDER: If you would like I can enter those in  
21 the exhibit, into the record as an exhibit.

22 (Whereupon Ms. Garlysh tendered pictures to  
23 Mr. Studer)

24 DEAN STUDER: Thank you. And a vacant chair, Jacob Leibel.

1           TRACI BARKLEY: Good evening. I would like to begin by  
2           thanking the Illinois EPA for holding this public hearing. I would  
3           like to contest the use of our time for our State Officials to  
4           speak, so I will be asking questions, but I will not yield my  
5           time to have them answered by the Panel, but I would like them  
6           answered here tonight, if that can happen, but I think 2 minutes  
7           and sharing is not okay.

8           My name is Traci Barkley, and I am a Water Resource  
9           Scientist with the Prairie Rivers Network, and we are the Illinois  
10          affiliate of the National Wildlife Federation and we work to  
11          protect clean water throughout the State of Illinois. Many of  
12          our members live and recreate in and near the Illinois River and  
13          are adversely impacted by the operations of the Edwards Power  
14          Plant.

15          Specifically, we are concerned about the coal ash  
16          pond discharges that have no limits, the damage to aquatic  
17          life at the clean water intakes and by hot water discharges.

18          My questions, and first of all I would like to say to  
19          the gentleman who said there's no bad fish kills at Edwards.  
20          There are fish kills every single day at each of your power  
21          plants, because of the intake structures. They kill fish  
22          as they are coming in for the water for the coal power  
23          usage. So, I would like to correct that. I would also like  
24          to know from Mr. Luckey what criteria you used to say that

1 the water that is used to move and store ash pond discharges  
2 is actually cleaner than what is -

3 DEAN STUDER: You will have to direct your comments  
4 to the hearing panel and not to members of the audience.

5 TRACEY BARKLEY: Yes, okay, thank you. First, there's  
6 a memo from Ameren's Illinois EPA dated July 15, 2010 that refers  
7 to the back house units, and asserts that there will be little,  
8 if any, direct impact on wastewater discharges. And I would like  
9 to know from the Panel how mercury removal equipment will not  
10 have an impact on wastewater discharges to the river.

11 Two, there's also in that letter, Ameren states, "The  
12 ash pond discharge is influenced by high receiving stream at  
13 the Illinois River elevation which causes river water to back  
14 up into the pond. When necessary to fulfill dam safety  
15 requirements for ash pond berm integrity protection, Edwards  
16 will pump the treated ash pond directly to the river at a  
17 point parallel to the outfall structure. As this is a non-  
18 routine event that is predicated on river flood conditions,  
19 we would like the Agency to formally authorize this practice."  
20 I would be appalled to see the Agency allow direct discharges  
21 just because they built their ash ponds in the floodplain,  
22 and the river floods every Spring and every Fall.

23 There's no way that there should be an emergency  
24 overflow directed to the river, a river that people rely on

1 for clean water in many different ways.

2 Second, there was an excursion for mercury several  
3 years ago. The sample was over the human-health standards for  
4 mercury. I understand the Agency is probably trying to average  
5 the mercury levels over 12 months of sampling. It's illegal.  
6 Water quality standards don't work like that. There is a  
7 reasonable potential to exceed water quality standards. It  
8 has happened. There needs to be mercury limit in those  
9 permits. Same thing with chromium. Chromium was exceeded.  
10 The acute water quality standard set at 16 was exceeded back  
11 in July of 2010. Reasonable potential? Yes, there is. It  
12 has happened, so there needs to be a limit on this permit.

13 I do have some additional questions having to do with  
14 temperature and intake structures, but I will yield my time  
15 to some of the other residents that showed up here tonight  
16 with their concerns. Thank you.

17 DEAN STUDER: Thank you.

18 CHRIS GOLDEN: Good evening, my name is Chris with a  
19 C-H, Golden G-O-L-D-E-N. I live near Chillicothe, not far from  
20 the river.

21 DEAN STUDER: Can I interrupt just for a second. Katie  
22 McFadden can take the seat if she would like to make comments.

23 CHRIS GOLDEN: I am involved with the Central Illinois  
24 Healthy Community Alliance and the Heart of Illinois Sierra Club,

1 and I am concerned about the Illinois River.

2 I don't think the Edwards Power Plant should be  
3 allowed to continue using old processes that release pollution  
4 to the Illinois River when there is much better technology  
5 they could use. This plant should be required to upgrade and  
6 keep their coal ash pond outfall on site, until it is treated  
7 and mercury and other pollutants are removed. Please protect  
8 public health and healthy Illinois River and require this plant  
9 to do a study on upgrading to the best available technology.  
10 Thank you.

11 DEAN STUDER: Thank you.

12 JACOB LEIBEL: My name is Jacob Leibel - L-E-I-B-E-L.  
13 I am a member of the Central Illinois Healthy Community Alliance  
14 and the Heart of Illinois Sierra Club. Growing up in Peoria  
15 where I have spent most of my life. I have always heard that  
16 no one goes in the Illinois River anymore, and I always  
17 wondered why. So, I am concerned about the health of the  
18 Illinois River, which reflects on the health of the community.  
19 And I am concerned about the amount of toxic wastewater that's  
20 dumped directly into the Illinois River.

21 Water is vital to all forms of life, and I think it  
22 should be better monitored. Thank you for sitting here and  
23 listening today. I would like to also say that I support  
24 Ameren transition to cleaner, renewable energy so that everyone

1 can keep their jobs, and we can keep the economy strong and the  
2 community healthy. Thank you.

3 DEAN STUDER: Thank you.

4 KATIE McFADDEN: Hello, I'm Katie McFadden - M-c-F-A-D-D-E-N.

5 Thank you so much for the opportunity to be here tonight.

6 I work for the Sierra Club beyond coal campaign here in Illinois.

7 I would like to start off by saying that the Sierra Club stands

8 with workers and for the environment.

9 I am deeply concerned about the effects that the  
10 Edwards Coal Plant is having on the environment, the community,  
11 and the people in the community. We're here today to urge  
12 the IEPA to use their professional judgment as to require the  
13 plant to take measures to dramatically reduce the amount of  
14 toxic water pollution that the facility discharges into this  
15 community every single day. I am particularly concerned about  
16 the over 5 million gallons of coal ash pond discharge that is  
17 released everyday into the Illinois River.

18 The current permit proposed does not require that to  
19 be limited or even monitored. With lack of Federal standards  
20 to regulate this discharge, I really hope the Illinois EPA uses  
21 the authority that they have under the Clean Water Act to, in fact,  
22 set a limit on this heavy metal discharge.

23 The Illinois River is currently listed as impaired for  
24 fish consumption as has been brought up a few times tonight,

1 because of the high levels of mercury. I think this is something  
2 that I have heard time and time again in the community, that  
3 folks are really worried about it. Nationally, coal plants are  
4 the number one source of mercury. Folks in this community should  
5 be able to fish in this river freely and not be worried about the  
6 fact that eating that fish could mean ingesting a dangerous  
7 neurotoxin that could cause brain and nervous system damage.  
8 Giving big coal permission to emit high levels of mercury is  
9 absolutely bizarre.

10 The Illinois River has major flooding every year and  
11 particularly in the past year. Ameren has said themselves that  
12 this high river level causes the backup of water into the coal  
13 ash pond. I'm concerned that that means that the water will  
14 suspend the coal. And that this solution not be authorized,  
15 especially without adequate monitoring of exactly what's happening  
16 there.

17 That is another reason why, fundamentally, it's a bad  
18 idea to have a toxic and dangerous unlined coal ash pond right  
19 on the banks of the Illinois River. I am here to stand with the  
20 residents of Peoria and Tazewell Counties to ask the IEPA to use  
21 its best professional judgment, to use its best technology  
22 available to address thermal pollution, the fish kills, as well  
23 as a BTA - Well, the best technology available to address the thermal  
24 cooling which would eliminate the thermal pollution and the

1 fish kills. It should also require the best available technology  
2 for the discharge of the toxic metals from the coal ash from this  
3 site into the river to the best extent possible. Specific mercury  
4 measurements at the plant indicate that a limit on mercury  
5 should also be limited.

6 Thank you very much for your time.

7 DEAN STUDER: Thank you. Is there anyone in the room  
8 who has not spoken who would like to make a 2 minute or less  
9 comment on the record this evening? Okay, if you would come  
10 forward to the podium, and if you would state your name and  
11 any organization, government body, or association that you  
12 represent, and if you would spell your last name for the court  
13 reporter.

14 ALYSSA McMILLEN: Thank you all for being here. My  
15 name is Alyssa McMillan - M-C-M-I-L-L-E-N. I am 21 years old  
16 and a waitress at Steak-N-Shake in Morton, and a student at  
17 Illinois Central College and also a citizen of Morton, Illinois.  
18 My desire to advocate for the environment began with my  
19 schooling and joining of the student association for the  
20 environment at ICC.

21 DEAN STUDER: Try to speak into the microphone if you  
22 could.

23 ALYSSA McMILLEN: I am here because I am highly concerned  
24 and worried about the water quality of the Illinois River due to the

1 pollution and destruction of the ecosystem. Rivers are a very  
2 important part of the community. Families, friends, and children  
3 use the water for recreation. It is difficult to believe that  
4 both the water and the air in the area are causing problems to  
5 our health and fish we could be eating. The natural transcendence  
6 and beauty of the river is fading. These unimaginable things  
7 are happening to a keystone of our community due to unrestricted  
8 pollution and corporate profit without concern for our community.

9           Until recently, I was not aware of the large amount  
10 of water pollution that was emitted by the Edwards Coal Plant  
11 right here in Peoria. I was aware of the low water quality of  
12 the river, though not the 5 million gallons of polluted water  
13 entering the river on a daily basis. I see jet skis on the  
14 water and people floating behind them. I have never been allowed  
15 in the river as a child due to my mother's concern of the water  
16 quality during my own youth. I have become educated on the many  
17 chemicals that enter the air and water due to this outdated coal  
18 plant.

19           To think that children suffer from asthma and other  
20 respiratory illnesses is also appalling to me. Being a young  
21 adult, I do not feel that it is justified for big coal to cause  
22 me to fear for my children who have not yet arrived to this  
23 earth. I am sure many of my fellow students and people of  
24 my generation would agree. This damage has been happening

1 for far too long.

2 This 50 year old coal plant has come to a time to  
3 retire. For the children of today and the generations to come,  
4 it is time to clean up this coal ash and instead build a clean  
5 energy economy.

6 On behalf of the ICC students advocating for the  
7 environment as well as the younger generation that will have  
8 to inherit this planet and rivers, I urge the Illinois  
9 Environmental Protection Agency to strengthen the water permit  
10 for the Edward's Coal Plant and to truly protect our water for  
11 future generations. Thank you.

12 DEAN STUDER: Thank you.

13 JAY WILLIAMS: My name is Jay Williams. I am just a  
14 concerned resident of Peoria, Illinois.

15 DEAN STUDER: Can you spell your last name, please.

16 JAY WILLIAMS: W-I-L-L-I-A-M-S. Just reemphasizing what  
17 you have probably already heard. I have been a resident for about  
18 8 years. I used to fish, water ski, you know, all the same things  
19 Everybody has been talking about. I turn on the news, and I guess  
20 I am just tired of hearing more and more and more negative things  
21 about the environment. My goal isn't to put anybody out of work.  
22 There has to be a solution here. If there is outdated technology,  
23 I hope the Illinois EPA does more. We need to be able to know  
24 that we can fish out of the river or water ski without having to

1 worry about mercury or whatever manmade chemicals there are that  
2 are causing known health problems. I mean, this is a no-brainer.  
3 There are some things in life we can control, and there are some  
4 things in life we can't control. This has got to be something  
5 we can control. You don't have to be a scientist to figure  
6 this out. It's common sense. There has to be a solution here.  
7 I thank all of you people for showing up. Again, I am just a  
8 concerned resident that used to fish and water ski and all those  
9 things, and there's no way that I am getting in that river now.  
10 I hope in the future that it gets monitored. So, thank you.

11 GREG FLEBBE: My name is Greg Flebbe F-L-E-B-B-E. I am  
12 a resident of Peoria, Illinois, and I would like to submit  
13 written comments, but to do so, I would like to submit several  
14 questions, because I haven't been able to discern the answers  
15 from the information that was provided.

16 First, I would like to make a comment or ask a question  
17 if the impact assessment is scheduled to be updated, and if so,  
18 when?

19 Second, I see in the resource sheet that's provided,  
20 that there are 4 different levels or areas of discharge, and  
21 that they are listed as average discharges. But there's no  
22 discussion about the highs, the frequencies, the numbers of  
23 violations given to measurements during the year. But I would  
24 like to be able to find that information and then be able to

1 comment more intelligently.

2 I believe the 6<sup>th</sup> was a notice that the Internal Outfall  
3 A02 was removed from the permit, but there was no discussion as  
4 to why, and I would like to find out what that was about and be  
5 able to address that.

6 And then there's also been discussion about that the  
7 discharge water is cleaner than the intake. Where's the  
8 documentation for that? I assume that it's all available,  
9 but again on the information provided I haven't been able to  
10 determine that.

11 And with that, if there are any follow-up questions,  
12 then do I just contact you at the website that's identified  
13 on the sheet and then submit the written comments?

14 DEAN STUDER: That's correct. You may contact also -  
15 there should be information on the public notice fact sheet that  
16 is in front of the draft permit on contact information for  
17 technical staff. Most of the public relations people will  
18 respond, but our responses normally are in writing, and a  
19 responsiveness summary following. Thank you.

20 ROBERT MITCHELL: Robert Mitchell, M-I-T-C-H-E-L-L.  
21 Like a lot of people, I know when I turn on the switch, I  
22 get electricity. Recently, I have come across a document,  
23 and it may be helpful to everyone here concerning this permit  
24 application, and I would like to submit it in for the record.

1 Thank you very much.

2 (Tendering document to Mr. Studer)

3 DEAN STUDER: Thank you. Is there anyone who has not  
4 spoken tonight who would like to make a 2 minute or less comment  
5 on the record?

6 DEANNA WUBBEN: Good evening. My name is Deanna Wubben -  
7 W-U-B-B-E-N. I do work for Ameren. I do work at the Edward's  
8 Power Plant. I respect that you people want good, clean health.  
9 I do too. I have been there 22 and-a-half years. Part of my job  
10 is dealing with all of the EPA regulations for water and for the  
11 air. We are doing as much as we possibly can with the limited  
12 amount of monies that we are able to budget to that and also with  
13 the costs of the expenses to upgrade all of the equipment. We are  
14 upgrading, and we are trying. And I do appreciate that you are  
15 all worried about my health and everybody else's that work there,  
16 but so far my health is perfect, and I have been there for 22  
17 and-a-half years. I just think that we are doing the best we can,  
18 and I would hope that you will continue on with our permit.  
19 Thank you.

20 DEAN STUDER: Thank you. Is there anyone else who would  
21 like to make a 2 minute or less comment who has not spoken this  
22 evening?

23 (There was no response.)

24 Okay, I am going to allow for a 1 minute comment provided that

1 we have a limited number of people that have already spoken, if  
2 they would like to speak again. But before I can do that, I need  
3 to get a count. So, if you have already spoken and would like to  
4 make a 1 minute - Okay, there's one gentleman in the back, two,  
5 three. Okay, we will go ahead and have those 3 people come  
6 forward.

7 The first person can go directly to the microphone,  
8 and the next 2 people can have a seat in the chair. Again,  
9 we have got just a real short 1 minute window here, because  
10 I do want to keep things moving this evening. Thank you.

11 DON NECESSARY: Hi, I'm Don Necessary again -  
12 N-E-C-E-S-S-A-R-Y. I forgot one comment. I wanted to  
13 respond to a comment that was made before me, saying that  
14 we needed the power from the station. Illinois is a net  
15 exporter of electricity. We do not need polluting sources.  
16 We have the future ahead of us in this State. We have more  
17 and more wind turbines, and if we ever get solar, we could  
18 probably eliminate all coal power sources. So, even  
19 Warren Buffett has agreed that coal is history, and we ought  
20 to - It's not needed in Illinois to supply our needs.  
21 Thank you.

22 DEAN STUDER: Thank you. Traci?

23 TRACI BARKLEY: Traci Barkley, and I would like to  
24 just ask some series of questions to have the panel answer.

1           One, what data does Illinois EPA or the permittee have  
2           regarding impingement and/or entrainment at this facility? I am  
3           looking for accounts or lists of organisms that are impinged or  
4           entrained at these intake structures and accounts.

5           I also understand that as part of Special Condition 17  
6           that there may have been some materials submitted or - It's not  
7           clear whether they have been submitted or will need to be submitted.  
8           And I guess my question is why weren't materials required to be  
9           submitted prior to - or as part of the permit application so  
10          that your folks could evaluate them and write a permit in  
11          response to what's actually happening there, so that it is  
12          progressive and moving forward. So, I think the way that  
13          Special Condition 17 is written is that the day it will be  
14          sent in after the fact, after you have issued the permit,  
15          and then you will respond to it. But we all know that you guys  
16          work too hard and there are too few of you doing this work, and  
17          this permit will never be reopened based on that. So, I was  
18          just wondered why that wasn't done as part of the permit  
19          application?

20          I also see that there's a preliminary plan for  
21          Biomonitoring, same question under Special Condition 21,  
22          why wasn't this conducted before, and I would also like  
23          to know if there has been biomonitoring done in the past  
24          what the results were?

1           I also understand there's a mixing zone for temperature  
2           for thermal fluid from the power plant, and the temperature must  
3           be 60 degrees. The temperature was 90 degrees April through  
4           November. So, I believe by law you are supposed to lay out and  
5           describe to the public the dimensions and the size of the mixing  
6           zones, and I would like to know about that.

7           And I would also like to know what the water temperature  
8           coming out of Outfall 002 is at the point of the discharge?

9           And there's also a compliance that needs to be measured  
10          with Special Condition 4 based on the natural temperatures of  
11          the Illinois River and the natural fluctuations of the River.  
12          I would like to know what the Agency uses as that natural  
13          temperature, and what you consider natural fluctuation so that  
14          we can determine compliance with Ameren discharges related to  
15          Special Condition 4.

16          I also note that Special Condition 14 says that the  
17          best available technology and best control technology are to be  
18          used for the ash pond. It says no storm water management or  
19          future prevention plan is required. I cannot believe that is  
20          the case, given that they are taking 250,000 tons of fly ash per  
21          year and wetting it down and handling it in a wet manner, when  
22          we all know that dry handling is the best available technology  
23          right now.

24          I think that's all of my questions. Thank you.

1           JAMES LUCKEY: Again, my name is James Luckey, Director  
2           at Edwards Energy. I really don't have a whole lot of new things  
3           to say. But I just wanted to say that we have a record at  
4           Edwards Station that we are proud of. We complied with the  
5           environmental limitations that have been put into our permit,  
6           that are given to us as the plan. And we have an EPA  
7           where we have elected people, where we have had people that  
8           we have hired into positions to come out there and to make  
9           their decisions on some of the guidelines and things that we  
10          need to comply with.

11          We operate at or below all of those standards. We  
12          have a record we can be proud of. We are exemplary in our  
13          environmental compliance, and we do care about the community.  
14          And we operate within those limits because we care. At some  
15          point, like I say, I think we have to trust the people who  
16          enforce those limits on us, because they are doing the right  
17          thing. We are doing the right things at the plant, and I am  
18          proud of the record that we have there, because we are there,  
19          and we are operating to protect our community and the environment.

20          Joyce BLUMENSHINE: Joyce Blumenshine -  
21          B-L-U-M-E-N-S-H-I-N-E. A follow-up comment, and I appreciate  
22          this, because I did have a question during my earlier comment.

23          On the report that was handed in this evening as an  
24          exhibit, and the title is "Closing the Flood Gates.

1       How the Coal Industry is Poisoning Our Water and How We Can  
2       Stop It", did find that of the 274 coal plants that  
3       discharge coal ash like Edwards does, 17 are in Illinois, and  
4       that none of these coal fired power plants have limits on the  
5       amounts of toxic metals, like arsenic, boron, cadmium, mercury,  
6       and selenium, and those go to the waters. We are really asking  
7       the IEPA -- it is high time to set limits on these heavy metals,  
8       and it was stated that it is measured twice a year on the  
9       mercury. Twice a year! It just seems unbelievably infrequent  
10      and inadequate. The fact that that river is utilized for fishing  
11      many months of the year and with other activities here that really  
12      the amount of testing and monitoring and limits really needs to be  
13      increased greatly. Thank you.

14                 DEAN STUDER: Thank you, Joyce.

15                 ROB MITCHELL: Sometimes I just can't help myself.

16      Rob Mitchell -M-I-T-C-H-E-L-L. I'm not against coal. It  
17      think it's unrealistic to quit using coal for a very long  
18      time, especially when everybody wants their air conditioner  
19      set at exactly 70.23 degrees all the time. But what we do  
20      know from Discover Magazine is that we can have clean coal,  
21      and that's that.

22                 DEAN STUDER: Is there anyone else that would like to  
23      make a comment on the record this evening?

24                                 (There was no response.)

1       Okay, I am going to pause here for about 3 minutes. I have some  
2       issues that I would like to discuss with the Hearing Panel. Feel  
3       free to stand up and stretch, but we will be starting here again in  
4       roughly 3 minutes or so, so you may not want to leave the room.  
5       We are not quite concluded yet.

6                       (A discussion was had off the record by the  
7                       Hearing Panel)

8               DEAN STUDER: As the last people are taking their seats,  
9       we have had a discussion among the Hearing Panel this evening.  
10       There was a rapid fire of questions that were asked tonight.  
11       As I was explaining earlier this evening, the purpose of a  
12       hearing, if you really follow what the regulations were intended  
13       for in both Federal and NPDES regulations and in the State, intended  
14       for additional comments and information to be brought forward to  
15       assist the permitting authority in making final decisions.  
16       Over time this has evolved into a situation where questions  
17       have been answered, and of course, we like to respond to the  
18       public. We like to respond to questions when they are asked  
19       if we are able to.

20               However, because of the tight timeframe this evening, we  
21       were unable to do that. What we will do is we will provide a  
22       response to the questions that were presented and are on the record.  
23       I also want to point out that if you have additional questions,  
24       feel free to submit those in the comment period that is open for

1 30 days and I also point out that following the close of the hearing  
2 that we will be around here until 8:00 P.M. or so to answer questions  
3 as well. We do want you to have that opportunity to respond to  
4 questions.

5 Our official response will be in writing and will be  
6 in the responsiveness summary, as always. That's always been  
7 the way that our hearings have been formatted. So, I wanted to  
8 clear up what we had done when we were off the record having a  
9 brief discussion with the Hearing Panel here this evening.

10 With that I am going to ask one last time, Is there  
11 anyone that has not spoken this evening that would like to make  
12 a comment?

13 (There was no response)

14 Okay, let the record indicate that no one raised their  
15 hand. Is there anyone that has spoken once this evening that  
16 either ran out of time or has one more 1 minute or less comment  
17 that they would like to make on the record?

18 (There was no response)

19 Let the record indicate that no one else raised their hand.  
20 Again, I remind everyone that the hearing record is going to  
21 remain open for written comments and/or questions if they are  
22 so submitted for 30 days after the close of this hearing. I  
23 thank you for your patience tonight, and I appreciate your  
24 timeliness. Everyone was very efficient in the way that they

1 asked their questions and presented their comments. And I  
2 appreciate the community for participating and keeping us in  
3 a way that we can conduct this hearing in an efficient manner.  
4 I thank you for your attendance.

5 This hearing is adjourned. Thank you.

6 (Whereupon the hearing ended at approximately  
7 7:45 P.M.)

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STATE OF ILLINOIS )

) SS.

COUNTY OF TAZEWELL )

I, CARMELLA C. TRAVERSO, a Registered Certified Shorthand Reporter and a Notary Public within the State of Illinois, do hereby certify that the foregoing proceedings were taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

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