



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

Filed  
April 8, 2014  
Data Center  
Missouri Public  
Service Commission

217/785-0561

June 27, 2012

CERTIFIED MAIL # 7010 2780 0002 1163 7155  
RETURN RECEIPT REQUESTED

Mr. John C. Pozzo  
Managing Supervising Engineer  
1 Ameren Plaza  
1901 Chouteau Ave.  
St. Louis, Mo 63103

**Re: Violation Notice: Ameren; Newton Generating Station**  
**Identification No.: 6286**  
**Violation Notice No.: W-2012-00063**

Dear Mr. Pozzo:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in Attachment A to this notice. Attachment A includes an explanation of the activities that the Illinois EPA believes may resolve the specified alleged violations. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether or not the facility wishes to enter into a Compliance Commitment Agreement ("CCA") pursuant to Section 31(a) of the Act. If the facility wishes to enter into a CCA, the written response must also include proposed terms for the CCA that includes dates for achieving each commitment and may include a statement that compliance has been achieved for some or all of the alleged violations. The proposed terms of the CCA should contain sufficient detail and must include steps to be taken to achieve compliance and the necessary dates by which compliance will be achieved.

4302 N. Main St., Rockford, IL 61103 (815)987-7760  
595 S. State, Elgin, IL 60123 (847)608-3131  
2125 S. First St., Champaign, IL 61820 (217)278-5800  
2009 Mall St., Collinsville, IL 62234 (618)346-5120

ILLINOIS DIVISION OF RECORDS MANAGEMENT  
RESPONSIBLE  
9511 Harrison St., Des Plaines, IL 60016 (847)294-4000  
5407 N. University St., Arbor 113, Peoria, IL 61614 (309)693-5462  
2309 W. Main St., Suite 116, Marion, IL 62959 (618)923-7200  
100 W. Randolph, Suite 11-300, Chicago, IL 60601 (312)814-6026

PLEASE PRINT ON RECYCLED PAPER

REVIEWER EAV

Interviewer Exhibit No. 313  
Date 3-31-2014 Reporter Stewart  
File No. EA-2012-0281

Exhibit 313 p.1

Page 2 of 2

ID: 6286 Ameren, Newton Generating Station  
VN W-2012-00063

The Illinois EPA will review the proposed terms for a CCA provided by the facility and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, the facility must respond in writing by either agreeing to and signing the proposed CCA or by notifying the Illinois EPA that the facility rejects the terms of the proposed CCA.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to a prosecutorial authority.

Written communications should be directed to:

Illinois EPA – Division of Public Water Supplies  
Attn: Andrea Rhodes, CAS #19  
P.O. BOX 19276  
Springfield, IL 62794-9276

All communications must include reference to this Violation Notice number, W-2012-00063.

Questions regarding this Violation Notice should be directed to Andrea Rhodes at 217/785-0561.

Sincerely,



Michael Crumly  
Manager, Compliance Assurance Section  
Division of Public Water Supplies  
Bureau of Water

Attachments

CASE ID: 2012-007

## ATTACHMENT A

AMEREN, NEWTON GENERATING STATION, ID:6286

VIOLATION NOTICE NO. W-2012-00063:

A review of information available to the Illinois EPA indicates the following on-going violations of statutes, regulations, or permits. Included with each type of violation is an explanation of the activities that the Illinois EPA believes may resolve the violation.

**Groundwater Quality**

No person shall cause, threaten or allow the release of any contaminant to a resource groundwater such that: treatment or additional treatment is necessary to continue an existing use or to assure a potential use of such groundwater; or an existing or potential use of such groundwater is precluded. No person shall cause, threaten or allow the release of any contaminant to groundwater so as to cause a groundwater quality standard to be exceeded. Ameren must take actions to mitigate existing contamination and prevent the continuing release of contaminants into the environment.

**Violation****Description**

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

Parameter	Sample Value	GW Standard	Collection Date
pH	5.49 su	6.5-9.0 su	11/30/2010
Manganese	0.45 mg/l	0.150 mg/l	04/10/2012
Manganese	0.71 mg/l	0.150 mg/l	01/31/2012
Manganese	0.91 mg/l	0.150 mg/l	10/11/2011
Manganese	0.63 mg/l	0.150 mg/l	07/12/2011
Manganese	0.24 mg/l	0.150 mg/l	05/04/2011
Manganese	0.17 mg/l	0.150 mg/l	02/08/2011
Manganese	0.907 mg/l	0.150 mg/l	11/30/2010
Sulfate	2,300 mg/l	400 mg/l	04/10/2012
Sulfate	3,000 mg/l	400 mg/l	01/31/2012
Sulfate	3,700 mg/l	400 mg/l	10/11/2011
Sulfate	2,900 mg/l	400 mg/l	07/12/2011
Sulfate	3,300 mg/l	400 mg/l	05/04/2011
Sulfate	3,300 mg/l	400 mg/l	02/08/2011
Sulfate	2,890 mg/l	400 mg/l	11/30/2010
TDS	4,900 mg/l	1,200 mg/l	04/10/2012
TDS	5,000 mg/l	1,200 mg/l	01/31/2012
TDS	5,000 mg/l	1,200 mg/l	10/11/2011
TDS	5,100 mg/l	1,200 mg/l	07/12/2011

## ATTACHMENT A

AMEREN, NEWTON GENERATING STATION, ID:6286  
 VIOLATION NOTICE NO. W-2012-00063:

**Violation****Description**

APW-2 continued

Parameter	Sample Value	GW Standard	Collection Date
TDS	5,100 mg/l	1,200 mg/l	05/04/2011
TDS	5,000 mg/l	1,200 mg/l	02/08/2011
TDS	1,910 mg/l	1,200 mg/l	11/30/2010
Zinc	62.0 mg/l	5.0 mg/l	04/10/2012

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code  
 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the  
 Groundwater Quality Standards at monitoring well APW-3 for the  
 following constituents:

Parameter	Sample Value	GW Standard	Collection Date
pH	6.07 su	6.5-9.0 su	11/30/2010

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code  
 620.115, 620.301, 620.401, 620.405, and 620.410.

**Violation****Description**

Operations at ash impoundments have resulted in violations of the  
 Groundwater Quality Standards at monitoring well APW-4 for the  
 following constituents:

Parameter	Sample Value	GW Standard	Collection Date
pH	5.67 su	6.5-9.0 su	11/30/2010
Manganese	0.25 mg/l	0.150 mg/l	04/10/2012
Manganese	0.22 mg/l	0.150 mg/l	01/31/2012
Manganese	0.27 mg/l	0.150 mg/l	10/11/2011
Manganese	0.26 mg/l	0.150 mg/l	07/12/2011
Manganese	0.24 mg/l	0.150 mg/l	05/04/2011
Manganese	0.21 mg/l	0.150 mg/l	02/08/2011
Manganese	0.176 mg/l	0.150 mg/l	11/30/2010

ATTACHMENT A

AMEREN, NEWTON GENERATING STATION, ID:6286

VIOLATION NOTICE NO. W-2012-00063:

Violation

Description

APW-4 continued

Parameter	Sample Value	GW Standard	Collection Date
Sulfate	1,500 mg/l	400 mg/l	04/10/2012
Sulfate	680 mg/l	400 mg/l	01/31/2012
Sulfate	1,300 mg/l	400 mg/l	10/11/2011
Sulfate	1,300 mg/l	400 mg/l	07/12/2011
Sulfate	1,300 mg/l	400 mg/l	05/04/2011
Sulfate	1,300 mg/l	400 mg/l	02/08/2011
Sulfate	618 mg/l	400 mg/l	11/30/2010
TDS	2,200 mg/l	1,200 mg/l	04/10/2012
TDS	2,400 mg/l	1,200 mg/l	01/31/2012
TDS	2,200 mg/l	1,200 mg/l	10/11/2011
TDS	2,300 mg/l	1,200 mg/l	07/12/2011
TDS	2,400 mg/l	1,200 mg/l	05/04/2011
TDS	2,300 mg/l	1,200 mg/l	02/08/2011
TDS	1,920 mg/l	1,200 mg/l	11/30/2010

Rule/Reg. Section 12 of the Act, 415 ILCS 5/12, 35 Ill. Adm. Code 620.115, 620.301, 620.401, 620.405, and 620.410.