



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) 782-5544

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

7010 2780 0002 1167 6048

February 13, 2013

Mr. John C. Pozzo
1 Ameren Plaza
1901 Chouteau Ave.
St. Louis, MO 63103

Re: Notice of Intent to Pursue Legal Action
Ameren Newton Generating Station
Identification No.: 6286
Violation Notice: W-2012-00063


Dear Mr. Pozzo:

This Notice of Intent to Pursue Legal Action is provided pursuant to Section 31(b) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(b)(2012). The Illinois Environmental Protection Agency ("Illinois EPA") is providing this notice because you have failed to respond adequately to the Violation Notice dated June 27, 2012, and issued by the Illinois EPA within the time frame required by Section 31 of the Act.

The Illinois EPA is providing this notice because it may pursue legal action for the violations of environmental statutes, regulations and permits specified in Attachment A. The Notice of Intent to Pursue Legal Action provides the opportunity to schedule a meeting with representatives of the Illinois EPA to attempt to resolve the violations of the Act, regulations and permits specified in Attachment A. If a meeting is requested, it must be held within thirty (30) days of receipt of this notice unless an extension of time is agreed to by the Illinois EPA.

If you wish to schedule a meeting with representatives of the Illinois EPA or have any questions, please contact Joey Logan-Wilkey at (217) 782-5544 within twenty (20) days of your receipt of this notice.

Sincerely,


Connie L. Tonsor
Deputy Counsel
Division of Legal Counsel

Attachment

JLW:jlp:Amern

IEPA - DIVISION OF RECORDS MANAGEMENT
RELEASABLE

MAR 28 2013

REVIEWER EAV

RECEIVED

FEB 15 2013

IEPA/CAS

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

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)993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601 (312)814-6026

PLEASE PRINT ON RECYCLED PAPER

Exhibit 317 p.1

Intervenor Exhibit No. 317
Date 3-31-2014 Reporter Stewart
File No. EA-2012-0281

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.

ViolationDescription

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.



**Newton Power Station
(IL0049191) Monitor Wells
Jasper County**



2012

*NO UCA
71 year to correct
- 400 Acres
- very large*

Legend



Monitor Wells

0 500 1,000 1,500 2,000 Feet

*Remedial Option
- Cover (de-water)
- can not take out
of operation
- phased approach
- build a new one*

SOURCE INFORMATION

Monitoring well data obtained from Ameren Energy. Bing maps obtained from ESRI. Map compiled and created by the groundwater section.