

1 November 2024

Dynegy Midwest Generation, LLC
1500 Eastport Plaza Drive
Collinsville, Illinois 62234

**Subject: Applicability Report for North Ash Pond Area (NAP)/Old East Ash Pond
 (OEAP) Area
 IEPA ID W1838000002-01, 03
 Vermilion Power Plant (VPP), Oakwood, Illinois**

This Applicability Report (“Report”) has been prepared on behalf of Dynegy Midwest Generation, LLC (Dynegy) to meet the requirements of 40 C.F.R. § 257.100(f)(1) which was promulgated in May 2024 as a revision to the federal CCR rule (40 C.F.R. Part 257, Subpart D). The purpose of this Report is to identify the legacy CCR surface impoundments owned and operated by Dynegy at the former Vermilion Power Plant. The Report is due no later than November 8, 2024.

REPORT CONTENTS

This Report includes the following as specified in § 257.100(f)(1):

- (A) The name and address of the person(s) owning and operating the legacy CCR surface impoundment with their business phone number and email address.
- (B) The name associated with the legacy CCR surface impoundment.
- (C) Information to identify the legacy CCR surface impoundment, including a figure of the facility and where the unit is located at the facility, facility address, and the latitude and longitude of the facility.
- (D) The identification number of the legacy CCR surface impoundment if one has been assigned by the state.
- (E) A description of the current site conditions, including the current use of the inactive facility.

This Report presents the required available information in accordance with (A) through (E), above. It also includes the certification by the owner required by 40 C.F.R. § 257.100(f)(1)(ii)(A).

1 November 2024

Page 2

AVAILABLE INFORMATION

(A) Owner's Contact Information

The name and address of the person(s) owning and operating the legacy CCR surface impoundment with their business phone number and email address, is as follows:

Name and address:

Dianna Tickner
Director, Decommissioning and Demolition
Dynegy Midwest Generation, LLC
1500 Eastport Plaza Drive
Collinsville, IL 62234

Phone Number:

(618) 381-3124

Email address:

dianna.tickner@vistracorp.com

(B) Name of the Legacy CCR Surface Impoundment

The name of the legacy CCR surface impoundment is North Ash Pond Area (NAP)/Old East Ash Pond Area (OEAP).

(C) Legacy CCR Surface Impoundment Location Information

A figure that illustrates where the unit is located at the facility, and the latitude and longitude of the facility is presented in **Attachment 1**.

1 November 2024

Page 3

The address of the facility is:

10188 East 2150 North Road
Vermilion County
Oakwood, IL 61858

(D) Illinois Environmental Protection Agency (IEPA) Identification Number

The IEPA Identification number is: W1838000002-01, -03.

(E) Current Site Conditions and Use

A description of the current site conditions, including a description of the current use of the inactive facility, is presented in **Attachment 2**.

CERTIFICATION

Section 40 C.F.R. § 257.100(f)(1)(ii)(A) requires certification that the information reviewed was true, accurate and complete. This certification is provided in **Attachment 3**.

Please call Ms. Dianna Tickner (Dynergy) 618-381-3124 if you have any questions.

Sincerely,



Thomas Ward, P.E.(IL)
Senior Engineer



John Seymour, P.E. (IL)
Senior Principal

Attachments:

Attachment 1: Location Information

Attachment 2: Description of Current Site Conditions and Use

Attachment 3: Certification by Owner

Copies to: Samantha Davies
Victor Modeer, P.E.

1 November 2024

Page 4

Rhys Fuller

Phil Morris

Charles Koudelka

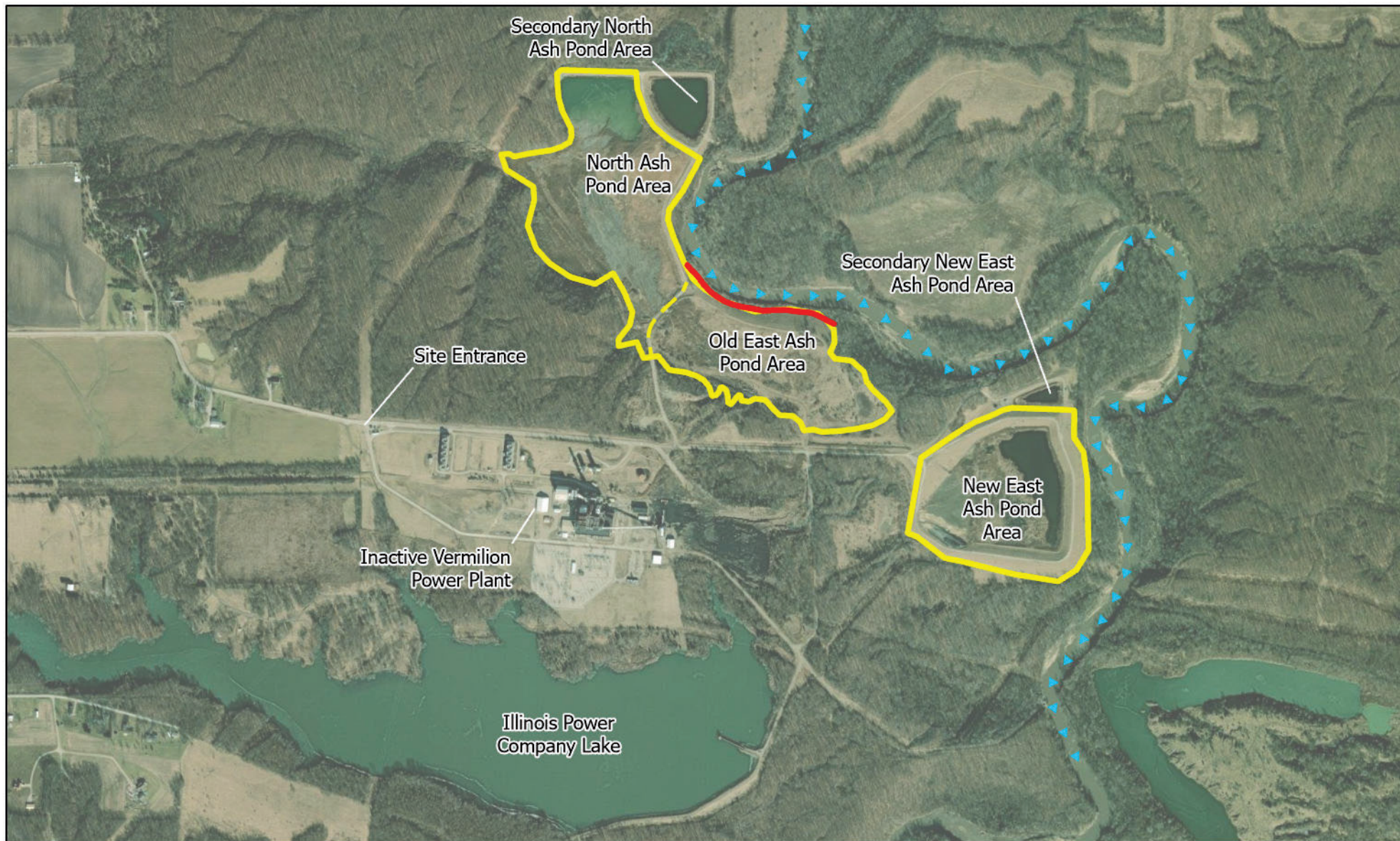
ATTACHMENT 1

SITE FIGURE

NORTH ASH POND/OLD EAST ASH POND

VERMILION POWER PLANT

LEGACY SURFACE IMPOUNDMENT APPLICABILITY REPORT



Legend

- Ash Pond
- Middle Fork Vermilion River Flow Direction
- Vermilion Groundwater Trench CL

0 500 1,000 2,000 Feet



CCR Impoundments

Inactive Vermilion Power Plant

Geosyntec
consultants

CHE8404B/14

November 2024

Figure

1

ATTACHMENT 2

NORTH ASH POND AREA/OLD EAST ASH POND AREA

VERMILION POWER PLANT

LEGACY SURFACE IMPOUNDMENT APPLICABILITY REPORT

CURRENT CONDITIONS

The Vermilion Power Plant (the Facility) is a retired (inactive) electric power generating facility with a coal fired unit located approximately five miles northeast of the Village of Oakwood, Vermilion County, Illinois.¹ [1] The Facility is an approximately 982-acre property consisting of 19 parcels, including the retired coal-fired power plant and the surface impoundments.

The Facility began operations in the mid-1950s and was retired in November 2011. The Facility produced and stored coal combustion residuals (CCRs) as a part of its historical operations. According to the Illinois Environmental Protection Agency (IEPA), this power plant has three legacy surface impoundments: North Ash Pond Area (NAP), Old East Ash Pond Area (OEAP), and New East Ash Pond (NEAP). The IEPA assigned identification numbers for these impoundments are: W1838000002-01 for the NAP Area, W1838000002-03 for the OEAP Area, and W1838000002-04 for the NEAP.

The purpose of the units was to manage wastewaters using sedimentation to remove settleable matter and turbidity prior to discharging through an NPDES permitted outfall pursuant to an NPDES permit. Fly ash and bottom ash have been placed in the CCR surface impoundments.

The NAP Area and OEAP Area are considered a single legacy CCR surface impoundment. They are located adjacent to each other in the northern portion of the Facility. The NAP Area is bordered to the north by fallow fields owned by Illinois Department of Natural Resources (IDNR), to the east by the Middle Fork of the Vermilion River, to the south by the OEAP Area, and to the west by steep bluffs that include the Illinois Department of Conservation designated Orchid Hill Natural Heritage Landmark, which is partially within the Facility property boundary but is administered by IDNR. The OEAP Area is bordered to the north and northeast by the Middle Fork of the Vermilion River; to the southeast, south, and west by steep bluffs; and to the northwest by the

¹ The sources of information in this Report are from the “Initial Operating Permit Application, Vermilion Power Plant, North Ash Pond Area (NAP) and Old East Ash Pond (OEAP) Area, Oakwood Illinois”, Geosyntec Consultants, 2021.

NAP Area. The NAP Area and OEAP Area are both located on terraces adjacent to the Middle Fork of the Vermilion River, which is bordered to the east and west by steep bluffs. [2]

Prior to the construction of the surface impoundment, the existing surface topography within the lowlands was relatively flat with elevations ranging from 560 to 570 feet NAVD88 at the NAP and 580 to 590 feet NAVD88 at the OEAP (Figure 2-2) with drainage toward the Middle Fork. [2]

The OEAP is covered with a soil cover and vegetated. The NAP is open and collects rainfall runoff from within the OEAP Area and NAP Area and surrounding drainage area and discharges to the Secondary NAP (not a CCR surface impoundment) that discharges through a permitted NPDES outfall (Outfall 001) to the Middle Fork of the Vermilion River.

CURRENT USE

The Site is currently inactive and not being utilized for another purpose.

Dynegy has submitted Operating and Construction Permit Applications to IEPA that include closure plans that would involve closure by removal to an onsite landfill that is to be constructed.

The Facility is undertaking interim corrective action that includes an approximately 1,100 ft long groundwater collection trench installed in 2024 between the OEAP and the Middle Fork of the Vermilion River. As of September 2024, it is not yet operating.

REFERENCES

- [1] Geosyntec Consultants, "Initial Operating Permit Application, Vermilion Power Plant Old East Ash Pond Areas, North Ash Pond Area," Geosyntec, Chicago, 2021.
- [2] Ramboll, "Hydrogeologic Site Characterization Report, Vermilion Power Plant North Ash Pond and Old East Ash Pond," Ramboll, Milwaukee, 2021.

ATTACHMENT 3
NORTH ASH POND/OLD EAST ASH POND
VERMILION POWER PLANT
LEGACY SURFACE IMPOUNDMENT APPLICABILITY REPORT
CERTIFICATION BY OWNER

The owner or operator, or an authorized representative, of any legacy CCR surface impoundment must sign and certify the applicability report required by 40 CFR § 257.100(f)(1)(ii)(A) with the following statement:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this demonstration and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

I do so certify.



Dianna Tickner

1 November 2024