

## Vermilion Public Meeting Questions not answered during meeting, December 9, 2021

On Tuesday, November 9, 2021, Dynegy Midwest Generation, LLC made available to the public its plans to close and provide any necessary corrective action for the Old East Ash Pond/North Ash Pond and New East Ash Pond CCR surface impoundments located at Vermilion Power Plant. On Thursday, December 9, 2021, Dynegy Midwest Generation, LLC (DMG) held in-person and virtual public meetings at 3:00 pm and 5:30 pm to present its decision-making process, a comparison of projected groundwater impacts for the alternatives presented, and an objective comparison of the pros and cons of each alternative presented. During the question-and-answer portion of the meeting, the public asked questions relating to the closure or corrective action. As required by Section 845.240(f)(3), this document provides written responses to the questions not answered during the meetings or in our response summary provided on December 22, 2021.

No.	Issue/Topic	Questions submitted by public and not answered at public meeting	Written Response
1	Groundwater Quality and Closure Monitoring Around the Units	Chemically, how do you remove the pollutants including heavy metals and arsenic from the soil, water, and old ponds. What physical chemical process?	All visible CCR will be removed. Any future impacts will be mitigated through an IEPA approved corrective action plan.
2	Groundwater Quality and Closure Monitoring Around the Units	Some surface water does not flow downhill on surface but absorbs down into the soil. It can end up in the water table and deeper into old mines, aquifers, etc. What will you do to insure that is does not end up in people's wells?	Figure 1, attached to this document, shows the location of water wells and surface water intakes (from publicly available data sources) within one mile of the Vermilion Power Plant. As stated at the meeting, and shown on this figure, there are no potable water supply wells or surface water intakes that can be impacted by groundwater from the NAP, OEAP, or NEAP.
3	Groundwater Quality and Closure Monitoring Around the Units	How you will clean the decades of pollutants that are in the soil around and in the entire area, riverbed, etc.?	All visible CCR will be removed. Any future impacts will be mitigated through an IEPA approved corrective action plan.
4	Groundwater Quality and Closure	If the discoloration of the river is a concern, what does that mean for what's in the water?	As part of the Human Health and Ecological Risk Assessment conducted at the Vermilion Power Plant, potential risks to human and

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	Monitoring Around the Units		ecological receptors exposed to surface water and sediment in the Middle Fork of the Vermilion River were characterized. Surface water and sediment concentrations in the river were conservatively modeled for all CCR-related constituents that were detected in groundwater. The modeling, which is based on the approach used by the US EPA is conservative. The modeled surface water and sediment concentrations for all constituents were less than benchmarks that have been determined by US EPA and others to be protective of human and ecological health. Thus, no risks to human health or the environment associated with potential exposure to surface water and sediment in the Middle Fork of the Vermilion River were identified.
5	Groundwater Quality and Closure Monitoring Around the Units	River's meander over time. Within the years of closure, how will you prevent the release of pond contaminants into the river? I am not convinced that trenches will catch it before it releases.	The trench is part of interim controls intended to intercept groundwater that contributes to discoloration along the streambanks until the CCR is removed. Impacted groundwater that is not captured by the trench will be addressed by source control (removal of the CCR) and monitored natural attenuation. The performance of these corrective measures will be monitored on a regular basis.
6	Groundwater Quality and Closure Monitoring Around the Units	The site needs to be monitored for many decades until it is no longer deemed a problem.	The site will be monitored in accordance with a groundwater monitoring plan to be approved by IEPA.
7	Groundwater Quality and Closure Monitoring Around the Units	How does the company know with such certainty that the contaminants will not ever reach private wells offsite?	The site has been thoroughly characterized and the groundwater flow system is well understood. Groundwater flows east to the Middle Fork. It is not possible for groundwater to flow in any other direction. Potential exceedances of the groundwater

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			protection standards were detected only in wells located adjacent to the units and between the units and the Middle Fork. As stated at the meeting, and shown on the attached Figure 1, there are no potable water supply wells or surface water intakes that can be impacted by groundwater from the NAP, OEAP, or NEAP.
8	Groundwater Quality and Closure Monitoring Around the Units	Where can we find the well testing data?	Groundwater data are provided on the publicly available website: <a href="https://www.https://www.luminant.com/illinois-ccr/">https://www.https://www.luminant.com/illinois-ccr/</a>
9	Groundwater Quality and Closure Monitoring Around the Units	What constituents were found in the monitoring wells?	Groundwater data and tables summarizing the concentrations of constituents that were detected in groundwater are available in the Hydrogeologic Characterization Reports which are included in the operating permit applications provided on the publicly available website: <a href="https://www.https://www.luminant.com/illinois-ccr/">https:// https://www.luminant.com/illinois-ccr/</a>
10	Construction Labor	Will you hire local labor?	We will encourage the successful bidder to hire local qualified labor. We will follow part 845 in assuring all workers meet the training requirements.
11	Construction Labor	Will you hire union labor?	We will follow part 845 in assuring all workers meet the training requirements.
12	Landfill Design, Permitting and Construction	Is there anything to prevent the proposed landfill from accepting coal ash from other sites?	The landfill will be limited to accepting waste from the Vermilion property.
13	Landfill Design, Permitting and Construction	How can we be sure that the liner won't fail?	The landfill will be designed, constructed, and operated in accordance with Illinois landfill program, as administered by IEPA.
14	Landfill Design, Permitting and Construction	What is the surface area in acres of the new landfill?	That will be determined in the landfill permit application under part 811.

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15	Landfill Design, Permitting and Construction	What would be the proposal elevation of the new landfill (above existing elevation)?	The location of the landfill will be above the 500-year floodplain. The design, including the height, will be finalized once IEPA approves the closure plan.
16	Landfill Design, Permitting and Construction	What dust mitigations measures will be in place to protect the river and the immediate river corridor which is home to a large fresh water eco-system and valued forested acreage	All activities at the site will be subject to the construction permit storm water protection plan and fugitive dust plan and comply with all applicable federal and state requirements.
17	Landfill Design, Permitting and Construction	What measures will be in place to protect the workers and the area residents down wind of the demolition?	All activities at the site will be subject to the construction permit storm water protection plan and fugitive dust plan and comply with all applicable federal and state requirements.
18	Landfill Design, Permitting and Construction	Will you take into consideration that weather conditions such as anticipated high winds or storms? What about rainfall?	All activities at the site will be subject to the construction permit storm water protection plan and fugitive dust plan and comply with all applicable federal and state requirements.
19	Landfill Design, Permitting and Construction	Will there be water tanks on the site before and during the demolition and how will they be used to mitigate dust damage?	Water suppression equipment will be available and used as needed to mitigate dust during demolition.
20	Landfill Design, Permitting and Construction	Before the old plant is demolished, to what extent will heavy-metal byproducts like arsenics, mercury, lead as well as PCB's and process chemicals be removed so that dust from the demolition is as benign as possible.	The demolition will require permits for the removal and management of contaminated media and will be conducted in accordance with federal, state, and local regulations.
21	Landfill Design, Permitting and Construction	Will the demolition process be overseen by a third party? If so, who?	The demolition process is subject to local and IEPA oversight.
22	Site	Which Ponds (primary and secondary) are in the flood [plains]?	The north and old east ash ponds are within the 100-year flood plains, the new east ash pond is located outside the 100-year flood plain.

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23	Site	Will old transformers and hydraulic equipment be removed before demolition?	Yes, the transformers have already been removed. The hydraulic equipment will be removed once demolition begins.
24	Site	Will the secondary pond as the ash pits remain in place after the ash removal project is complete?	Secondary ponds will remain as long as required for stormwater management and treatment, to meet NPDES limits.
25	Site	My question has to do with the demolition of the power plant itself, the outbuildings, and the smokestacks.	Powerplant structure to be demolished to accommodate landfill construction
26	Site	Dynergy in the past has coordinated with IDNR regarding the management and monitoring of Orchid Hill natural area. Could that partnership be reestablished?	It is established and continues, and DMG will continue protection of the area.
27	Site	Has there been any consideration as to the future ownership of the entire site or Orchid Hill exclusively?	At the present time, DMG will continue to own the area.
28	Site	Is there any staff onsite that could allow access to the Orchard Hill natural area?	Access will not be limited after closure is completed.
29	Financial Insurance	The plans outlined appear to promise to move the site toward eventual restoration as the coal ash and the structures are removed. Both the land and the water will be restored to health. This will take time, with the completion projected to occur in 2033, twenty-two years after the power station ceased to operate. It will also take money. Dynergy has estimated a cost of \$129 million dollars, for which they will post a bond. Several important questions remain. The original cost estimate was about \$50 million higher. What happens if that turns out to be the correct figure? Who will pay for the cost overrun?	DMG is currently responsible for closure cost.
31	Financial Insurance	Posting a bond is not at all like setting aside money in a trust fund. What guarantees are there that Dynergy/Vistra will be able to pay	In the event of nonperformance, the bond guarantees the payment of closure cost.

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		the entire cost? It is a relatively small amount to a large corporation like Vistra, but it is a huge amount to the citizens of Illinois	
32	Financial Insurance	Dynergy/Vistra could be sold, or the land could be sold, perhaps as a small part of a much larger transaction. We need to be certain that all these closure plans will be funded and carried out no matter who owns the site of the old Vermilion Power Station in 2033. The clean-up obligation, like the pollution problem itself, needs to run with the land. This needs to be clearly stated in any written agreement.	If DMG were to sell or transfer the property, it would also transfer all Part 845 permits, which requires IEPA's approval and a demonstration by the new owner that the new owner has complied with the financial assurance requirements of Part 845 guaranteeing performance of the closure and corrective action. DMG has complied with the Part 845 financial assurance requirements for each of the CCR surface impoundments it is closing under Part 845. The financial assurance provisions in Part 845 are robust and were constructed based on other established financial assurance program regulations. Financial assurance has already been provided for closure activities, post closure activities, and to address the need for potential remediation of releases and will be updated in the future as needed. The mechanisms for financial assurance provided for under Part 845 are all ones that have been successfully used in other regulatory contexts and that can be easily accessed by IEPA. For Vermilion, DMG is using surety bonds guaranteeing performance as its financial assurance mechanism. In the unlikely event of a default, this form of financial assurance allows the surety to step in to perform the closure, post-closure care, or corrective action or to pay a penal sum that will be placed into the CCR Surface Impoundment Financial Assurance Fund within the State

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			Treasury, assuring the work under Part 845 will be performed.
33	Financial Insurance	The Plan calls for thirty years of post-closure care, monitoring and maintenance. Who pays for that, and how is the payment guaranteed? Again, this needs to be clarified now, while all the parties are working on the details.	In the event of nonperformance, the bond guarantees the payment of post closure care, monitoring and maintenance.
34	Miscellaneous	You need to make sure that you follow the highest standards i.e., storms (100 yrs. floods) are becoming normal.	DMG is strictly following part 845.
35	Miscellaneous	It was nearly impossible to hear company and public speakers at this meeting. You need to make sure to address this problem before the next hearing. I would contend than an inaudible presentation does not fulfill the hearing requirements.	DMG is strictly following part 845.
36	Miscellaneous	Why didn't you let us submit questions outside of the meeting?	DMG is strictly following part 845.

Figure 1

