

IEPA Log No.: **C-0408-11**
CoE appl. #: **LRC-2010-00326**

Public Notice Beginning Date: **December 12, 2011**
Public Notice Ending Date: **January 3, 2012**

Section 401 of the Federal Water Pollution Control Act
Amendments of 1972

Section 401 Water Quality Certification to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency
Bureau of Water
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: DGGM LLC. – 465 West Fullerton Avenue, Elmhurst, IL 60126

Discharge Location: Near Joliet in SW 1/4, Section 2 of Township 34N, Range 9E of the 3rd P.M. in Will County.

Name of Receiving Water: Illinois River

Project Description: Proposed construction of a tank facility, loading dock, and removal of a sunken barge

The Illinois Environmental Protection Agency (IEPA) has received an application for a Section 401 water quality certification to discharge into the waters of the state associated with a Section 404 permit application received by the U.S. Army Corps of Engineers. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice. The last day comments will be received will be on the Public Notice period ending date unless a commenter demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the project to the IEPA at the above address. Commenters shall provide their names and addresses along with comments on the certification application. Commenters may include a request for public hearing. The certification and notice number(s) must appear on each comment page.

The attached Fact Sheet provides a description of the project and the antidegradation assessment.

The application, Public Notice/Fact Sheet, comments received, and other documents are available for inspection and may be copied at the IEPA at the address shown above between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicate a significant degree of public interest in the certification application, the IEPA may, at its discretion, hold a public hearing. Public notice will be given 30 days before any public hearing. If a Section 401 water quality certification is issued, response to relevant comments will be provided at the time of the certification. For further information, please call James Blessman at 217/782-3362.

JTB:C-0408-11_401 PN and FS_29Jul11(2).docx

Fact Sheet for Antidegradation Assessment
For DGGM LLC.
IEPA Log No. C-0408-11
COE Log No. LRC-2010-00326
Contact: Mark Books; 217/785-6937
Public Notice Start Date: December 12, 2011

Tim Donohue of DGGM LLC ("Applicant") has applied for Section 401 water quality certification for impacts associated with the construction of a bulk tank storage facility along the Des Plaines River. The facility will consist of storage tanks, entrance drive, a containment dike, parking area, storm water containment, a dock, an elevated walk to the dock and other amenities. The project is located on the east side of South Youngs Road, south of Illinois Route 6 and north of Amoco Road in the City of Joliet. The project is located at river mile 280.8 on the Des Plaines River in Section 2, Township 34 North, Range 9 East. The site consists of 71.162 acres of which approximately 19.844 acres are identified as wetland area. The proposed facility will only affect about a quarter of the total site area and only about 11% of the total site area will be changed into some type of impervious surface area. This proposed project also includes the removal of an existing sunken barge within the river; the proposed dock will be located in the same area as where the sunken barge is now located. The dock support structures will be driven into the river bed. No dredging within the river is planned in this project. This project will affect 0.6015 acres of wetlands which the Applicant proposed to mitigate by purchasing this same amount of acres from the Lily Cache Wetland Bank, which is in the same watershed area. In addition to this wetland bank purchase the Applicant proposes to create about 0.14 acres of additional emergent plant buffer area on the site.

Identification and Characterization of the Affected Water Body.

The Des Plaines River has a 7Q10 flow of 1,493 cfs at this location and is a General Use water. The Illinois River Waterbody Segment IL_G-12 is listed in the Illinois Integrated Water Quality Report and Section 303(d) List-2010 as impaired for fish consumption. The potential causes of impairment are mercury and PCB's. The Des Plaines River at this location is not an enhanced waterbody pursuant to the dissolved oxygen water quality standard. Using the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*, the Des Plaines River, at this location, is not listed as a biologically significant stream nor has it received an integrity rating. The Des Plaines River has a drainage area of approximately 1,506 square miles at the project site.

The IDNR WIRT System does not list any threatened or endangered species residing in the project area.

Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses.

The pollutant load increases that would occur from this project include some possible increases in suspended solids during the construction of the project. Erosion control measures will be utilized to minimize any increase in suspended solids. The Applicant will follow Best Management Practices for this project which will include minimization and avoidance of most of the wetlands, the use of grass swales and rock scour protection to slow and filter stormwater, installation of oil and grit separators to remove pollutants from the truck uploading area, containment and testing of the storage tank areas, and preservation of the natural areas to promote infiltration of stormwater. The Applicant has also stated that all work will comply with State of Illinois, Will County and the City of Joliet Erosion and Sediment Control Standards.

Involving the removal of the sunken barge the Applicant has stated that they will follow the following procedures to reduce the impact of the barge removal operation:

1. Applicant will install floating dredge curtain around the perimeter of the sunken barge before work begins.
2. Applicant will perform a complete underwater inspection of the sunken barge (using divers) to determine the condition of the barge and the amount of river sediment within the barge. Applicant has stated that an already completed topside inspection of the barge discovered minimal silt accumulation in the hopper; however, the wing tanks could not be inspected from the surface.

3. If during the underwater inspection of the barge it is discovered that large amounts of river sediment are present within the wing tanks the Applicant will remove the sediment by pumping the sediment into geotextile sediment bags. The filled sediment bags will then be disposed off-site at a landfill.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids will be local and temporary. Erosion control measures will be utilized to minimize any increase in suspended solids and prevent further impact to the stream. The following chart describes the wetlands and the impacts:

<u>Wetland Area</u>	<u>Classification</u>	<u>Size in Acres</u>	<u>Impacts</u>
W-1 & 2 Connected Permanent)	Palustrine, emergent	19.1359	0.0003 (Federal –
W-1 & 2 Connected Temporary)	Palustrine, emergent		0.1374 (Federal –
W-3	Palustrine, emergent	0.2730	0.2730 (Isolated)
W-4	Palustrine, emergent	0.0449	0.0449 (Isolated)
W-5	Palustrine, emergent	0.0709	0.0709 (Isolated)
W-6	Palustrine	0.0897	0.0000 (Federal)
Gravel Pit Area Open Water		0.2300	0.0000 (Federal)
Des Plaines River	Open Water		0.0750 (Federal)
Total		19.8444	0.6015 Acres

Purpose and Anticipated Benefits of the Proposed Activity.

The purpose of this project is to provide a facility for the transportation of both liquid and some solid materials handled by barges and trucks. The Applicant has stated that:

“ The storage tank facility is water dependent since the bulk delivery of the liquid and solid materials will be by handled by barges. The dock and ramp are needed to allow the barges to be off-loaded via a pump and pipe system to the storage tanks. The products will then be loaded onto trucks from the loading rack for distribution or piped to other barges.”

Assessments of Alternatives for Less Increase in Loading or Minimal Environmental Degradation.

The construction of the proposed project will follow conditions set forth by the Agency and USACE. Erosion control measures will need to be implemented to prevent additional impacts to the stream. The Applicant has stated that besides the no build alternative the following information concerning alternative to this proposed project:

“The main components of the project will be constructed in the upland areas avoiding federal wetland impacts. The elevated walk to the river will be constructed over the wetlands and the river thus preserving most of these features. The project is a water dependent activity since the upland site requires barge loading facilities on the river. The access road onto the site will be constructed in the uplands... The dock will be constructed in the same area as the existing sunken barge, thus impacts along the river will be the same as the existing condition...In this corridor of the river there are no other sites where a barge facility could be constructed. The corridor is an existing industrial area with other barge loading facilities to the north and south...This project represents a significant reduction in impacts from a prior submission to the Corps. Original wetland impacts for this site included a loss of 1.91 jurisdictional federal wetlands.”

Summary Comments of the Illinois Department of Natural Resources, Regional Planning Commissions, Zoning Boards or Other Entities

In a letter from Tracy Evans dated September 26, 2011, IDNR stated that an initial report submitted through the EcoCAT website indicated the potential presence of protected resources in the vicinity of the project location. The letter further states that the IDNR has evaluated this information and concluded that adverse impacts to the protected resources are unlikely; therefore, consultation is terminated.

Agency Conclusion.

This preliminary assessment was conducted pursuant to the Illinois Pollution Control Board regulation for Antidegradation found at 35 Ill. Adm. Code 302.105 (antidegradation standard) and was based on the information available to the Agency at the time this antidegradation review summary was written. We tentatively find that the proposed activity will result in the attainment of water quality standards; that all existing uses of the receiving waters will be maintained; that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity; and that this activity will provide the Applicant the ability to receive product from a river delivery system. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.