

IEPA Log No.: **C-0285-12**  
CoE appl. #: **LRC-2012-00309**

Public Notice Beginning Date: **September 18, 2012**  
Public Notice Ending Date: **October 9, 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:** Buckeye Partners – 3823 Indianapolis Blvd., East Chicago, IN  
46312

**Discharge Location:** Near Lemont in Section 11 of Township 37N, Range 11E of the 3rd P.M. in  
DuPage County.

**Name of Receiving Water:** Des Plaines

**Project Description:** Pipeline repair

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.

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Fact Sheet for Antidegradation Assessment  
For Buckeye Partners  
IEPA Log No. C-0285-12  
COE Log No. LRC-2012-00309  
Contact: Bob Mosher; 217/785-3950  
Public Notice Start Date: September 18, 2012

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Buckeye Partners, L.P. ("Applicant") has applied for Section 401 water quality certification for a project which consists of repairing a section of a 12" refined petroleum pipeline within the Des Plaines River ("River"). The project consists of dewatering a section of the River in order to gain access to the pipeline. The anomaly in the pipeline is located approximately 50 feet from the north bank of the River. Once the area is dewatered the pipeline segment will be assessed and repaired. Approximately 27 cubic yards of river bottom material will need to be excavated to gain access to the pipeline. The excavated area will be backfilled with 27 cubic yards of clean, imported fill material. The project is specifically located in Section 11, Township 37 North, Range 11 East, in the Village of Lemont, just east of Illinois Route 83 Bridge.

#### **Identification and Characterization of the Affected Water Body.**

The Des Plaines River ("River") is a General Use Water with a 7Q10 flow of 149 cfs at this project location. Waterbody segment II\_ G-39, is listed in the Illinois Integrated Water Quality Report and Section 303(d) List-2010 as impaired for aquatic life, fish consumption and primary contact recreation. The potential causes of impairment are Aldrin, Arsenic, Chloride, Lindane, Methoxychlor, pH, Phosphorus (total) and other flow alterations (non-pollutant) for aquatic life, Mercury and PCB's for fish consumption and fecal coliform bacteria for primary contact recreation. The Des Plaines River 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 River at this location is not listed as a biologically significant stream nor has the river at this location been given an integrity rating. The Des Plaines River has a drainage area of approximately 672 square miles at the project site. Biological characterization of the stream has not been required because the project will not permanently alter the existing stream habitat conditions.

#### **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 ("SS") during the construction of the project. Aquatic life uses in the portion of the Des Plaines River that will be disturbed during construction may be negatively impacted, but in time, they will recover and support the same community structure as is now found in the existing channel. The Applicant has stated that only a portion of the river needs to be dammed off to complete this project, about 3,600 square feet or 0.08 acres. The Applicant has also stated that the project will take approximately 17 working days to complete.

#### **Fate and Effect of Parameters Proposed for Increased Loading.**

The increase in SS 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. Construction for the proposed project will occur during a period of low flow to further minimize any impact.

#### **Purpose and Social & Economic Benefits of the Proposed Activity.**

The Applicant has stated the following concerning the need/purpose for this project:

"Periodic safety testing revealed a potential anomaly in the pipeline that requires assessment and repair to avoid a potential break or shutdown of the pipeline."

#### **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 will follow Best Management Practices for construction which will include a Soil Erosion and Sediment Control ("SESC") plan. The SESC plan will receive Kane-DuPage County and Water

Conservation District approval before the project begins. A Spill Prevention Plan will also be followed by the Applicant.

The Applicant considered three other alternatives to this proposed project: 1) no action; 2) install a new pipeline; and 3) install an internal sleeve within the pipeline. The Applicant has stated the following concerning alternative 1:

“Due to the ongoing potential for catastrophic release of oil product to a sensitive riverine environment and the consequential threat to human health and the environment, Alternative 1 is not considered to be a feasible alternative.”

Concerning alternative 2 the Applicant stated the following:

“This alternative is not the preferred alternative at this time due to the lengthy planning and permitting schedule, the ongoing potential for release with continued degradation of the pipeline, and the greater (temporary) impact to the riverine environment associated with construction procedures to install a new pipeline.”

Concerning alternative 3 the Applicant has stated the following:

“In accordance with DOT regulations, an internal sleeve is not a recognized repair method for a refined petroleum pipeline.”

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

In a letter from Rick Pietruszka dated June 12, 2012, 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 the community at large will benefit from a repaired safe pipeline. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.

MTB:djp/buckeyepartnerslp

cc: Jay Patel  
Bob Mosher  
Joe Mareneik