IEPA Log No.: **C-0913-09**
CoE appl. #: **2009-1622**

Public Notice Beginning Date: **January 13, 2012**
Public Notice Ending Date: **February 14, 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
Facility Evaluation Unit
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: Illinois Cement Company, 1601 Rockwell Road, LaSalle, IL 61301

Discharge Location: Section 23, T33N, R1E of the 3rd P.M. in LaSalle County within LaSalle

Name of Receiving Water: Illinois River

Project Description: Construction of a floating dock and conveyor system.

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 Thaddeus Faught at 217/782-3362.

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Fact Sheet for Antidegradation Assessment
Illinois Cement Company – Illinois River – LaSalle County
IEPA Log #C-0913-09
COE Log #2009-1622
Contact: Bob Mosher at 217/558-2012
January 13, 2012

Illinois Cement Company "ICC" ("Applicant") has applied for Section 401 water quality certification for impacts associated with the construction of a new barge loading facility on the Illinois River ("River"). The new facility will be built to transport limestone from barges to the Applicant's Portland cement facility located on the east side of the City of LaSalle by means of an overland conveyor system. The proposed barge dock will have two 48-inch diameter concrete filled pipe braced dolphins to anchor the 150-foot long by 50-feet wide floating dock and six 36-inch diameter concrete filed pipe dolphins for fleeting barges. A steel bulkhead wall will be constructed along the bank near the floating dock. The steel bulkhead wall will extend 53 feet out from the existing shoreline and will run 185 feet parallel to the river. An area approximately 180 feet long and 35 feet wide will be mechanically dredged with a clam shell bucket to provide adequate depth for moored barges (approximately 1,000 cubic yards consisting of fine sand with some silt). The dredged material will be placed behind the steel bulkhead wall. Maintenance dredging will occur on an as-needed basis. A 2,725 foot long conveyor system will be partially built within the floodplain and will extend from the barge dock to the Applicant's facility. The conveyor will be supported on steel legs that sit on pile foundations to cross the property. The project is located at Illinois River Mile 225.3 in the Village of Seneca, Section 23, Township 33 North, Range 1 East. The following table indicates the impacted areas due to this project and the mitigation plans:

	Impact acres	Mitigation Plans
Forested Wetland	2.75	Replant 2.0 acres into low growing wetland plant species. Also, create 6.0 acres of new forested wetland by planting native wetland trees on land that is currently in agricultural use, which is located next to the project site.
Wetland	1.0	Create 1.96 acres of wetlands on land about 1.6 miles from the impact site.
Floating dock's shading affect and loss of public use impact.	0.17	Donate a stocked 12 acre upland lake along the Little Vermilion River to the City of LaSalle in order to create a new city park/fishing area.

The mitigation ratio for the forested wetland impact on this project is 2.18:1 (2.75 x 2.18 = 6.0 acres-rounded). The mitigation ratio for the wetland impact is 1.96:1 (1 x 1.96 = 1.96 acres).

Identification and Characterization of the Affected Water Body.

The Illinois River has a 7Q10 flow of 3,530 cfs at this location and is a General Use water. The Illinois River Waterbody Segment IL_D-16 is listed in the Illinois Integrated Water Quality Report and Section 303(d) List-2010 as impaired for fish consumption, and primary contact recreation. The potential causes of impairment are mercury and PCB's for fish consumption and fecal coliform bacteria for primary contact recreation. The Illinois 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 Illinois River, at this location, is not listed as a biologically significant stream nor has it received an integrity rating. The Illinois River has a drainage area of approximately 12,572 square miles at the project site.

The IDNR WIRT System lists the Decurrent False Aster as a 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 be required to use a clam shell bucket to minimize the potential for dredged material to slough off during the dredging process. Concerning the potential for the Decurrent False Aster to be in the area the Applicant conducted a site assessment survey on August 19, 2010 which did not discover any evidence of the aster within the project site area.

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.

Purpose and Anticipated Benefits of the Proposed Activity.

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

> "While Portland cement produced with limestone from the local quarries performed well for many years, high alkali Portland cement may react with some types of aggregate to reduce the durability of concrete structures as compared to low alkali Portland cement…To complicate matters more, the other two cement plants that are owned by multi-national companies began shipping cement into the area from plants in other states. The cement from the other plants is low alkali cement creating a new abundance of low alkali cement in ICC's market area. Because of this new abundance of low-alkali Portland cement more and more job specifications in north-central Illinois are requiring the use of low alkali cement, especially in the Chicago area. The market change is forcing ICC to find a suitable low alkali limestone to produce low alkali cement in order to compete in the new market dynamic…A second key issue is the reserve life of ICC's existing quarry in Dimmick Township (one mile north of the plant). The Dimmick Quarry has limited opportunities to expand…Taking no action to address long term supply of limestone will put the facility out of production in 20-25 years even with some truck import of raw material as occurs today. The high calcium, low magnesium, and low alkali grade of Limestone needed is not available in Illinois Cement's current quarry."
>
> "Illinois Cement has a direct and indirect impact on the economy of both LaSalle County and the State of Illinois of $104 million and $216 million, respectively. The direct and indirect employment is 281 for LaSalle County and 680 for the State of Illinois…Illinois Cement submits that the benefit to the community of maintaining the Illinois Cement operation in LaSalle outweighs the minor impacts of the proposed project on the Illinois River Floodplain."

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 they will follow Best Management Practices to control environmental impacts associated with this project.
Concerning other Alternatives besides the no build option for this project the Applicant has stated the following:

- "Truck transportation for substantial distance would be cost prohibitive and logistically challenging. For example, at the 1,6000,000 tons annual limestone rate required,…the required loads would equal approximately 279 truck loads per day for a five day week. For these reasons, the truck transport was not the preferred or best option for ICC."
- "ICC also investigated rail transport of limestone. The plant does not currently have rail access on site and with unfavorable elevations on the east side of the plant, where unloading and storage would occur, rail access in the plant would be challenging, if not impossible."
- The Applicant also looked into transporting the limestone using either water or air as the transport medium within a pipeline system. Applicant has stated the following concerning this option "Cobbles and large gravel particles are not transportable thousands of feet by either hydraulic or pneumatic methods".

Due to the reasons cited above the Applicant believes that the river transportation is the only viable and most economical method of transportation of their required limestone. Once the decision was made that a river transportation system was needed to be built the Applicant looked at where to install the dock and conveyor system. The Applicants first option was to build the dock north of the mouth of the Little Vermilion River which would have shortened the conveyor route from the river to the plant, would have removed the need to cross the Little Vermilion River with the conveyor system and would have had the conveyor system installed in mostly an upland area. The Applicant has stated the following concerning this option:

> "This was the first option that was investigated for all of the reasons that seem obvious. This option was conceptually designed and taken to the Illinois River Carriers Association for comment on the suitability of operations based on river traffic…The findings was that the location restricts navigation under the Section 10 regulated by the USACE."

This finding by the USACE removed the option from locating the dock system north of the Little Vermilion River mouth and resulted in the need to place the dock system south of the Little Vermilion River.

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

In a letter from Tracy Evans dated July 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 had concerns which the Applicant has addressed: therefore, consultation was terminated. IDNR did request that this condition be incorporated into this permit:

- To avoid impacting the Indiana Bat the Applicant will conduct any necessary vegetation removal outside of the bat's normal roosting season of April 1st thru November 15th.

The Applicant has stated that any tree clearing in areas where Indiana Bat habitat may be present would only be conducted in the winter.

The Applicant has consulted with and has received supporting letters for this project from the Canal Corridor Association, from the Illinois River Carrier's Association, and from the City of LaSalle.

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 and continue operating their business within a changing market. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.