

IEPA Log No.: **C-0346-09**
CoE appl. #: **2009-0676**

Public Notice Beginning Date: **July 18, 2012**
Public Notice Ending Date: **August 17, 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: Rochelle Waste Disposal, LLC, 1161 Highway 251 South, Rochelle, IL 60168

Discharge Location: Section 22, T40N, R2E of the 3rd P.M. in Ogle County near Rochelle

Name of Receiving Water: Unnamed Tributaries to Kyte River

Project Description: Channel relocation for expansion of Rochelle Municipal Landfill No. 2.

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
Rochelle Waste Disposal, LLC – Unnamed Tributaries to Kyte River – Ogle County
IEPA Log #C-0346-09
CoE Log #CEMVR-OD-P-2009-0676
Contact: Mark T. Books at 217/558-2012
July 18, 2012

Rochelle Waste Disposal (“Applicant”) has applied for Section 401 water quality certification for impacts associated with their proposed landfill expansion project. The project site is located near the City of Rochelle, in Section 22, Township 40 North, Range 2 East. The Applicant proposes to develop a 219.9 acre parcel of land for the expansion of an existing landfill. The existing landfill is anticipated to reach capacity in 2013. The expansion project will result in the relocation of 5980 feet of previously channelized intermittent ditches conveying stormwater. The proposed project will affect approximately 1,140 feet of the North channel, 2,738 feet of the South channel, and 2,103 feet of the Main channel. An existing 4.54 acre wetland on the site will not be disturbed.

Identification and Characterization of the Affected Water Body.

The unnamed streams are unnamed tributaries of Kyte River -Waterbody Segment PL-99. The unnamed streams are General Use waters with a zero 7Q10 flow. The streams have not been evaluated by the Illinois EPA Surface Water Monitoring Unit. The streams are not enhanced water bodies 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 streams are not listed as biologically significant streams nor have they received an integrity rating. The unnamed streams affected by this project are manmade drainage channels. The South and Main Channels have a total drainage area of about 1.2 square miles and the North Channel has a drainage area of about 0.9 square miles. The current wildlife/aquatic life habitat of the streams consists of only the bottoms of the excavated drainage channels.

The Applicant used the Illinois Stream Mitigation Method document to determine credits required from the proposed impact of the channels (24,724 mitigation credits required), and to determine the credits generated as a result of the proposed mitigation efforts (37,504 total mitigation bank credits generated). Total impacted stream length for the proposed project is 5,980 feet and total new stream length created will be 9,755 feet for an approximant mitigation ratio of 1.63:1.

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 (“SS”) during construction. The proposed impact of the tributaries will eliminate the current habitat from the fill areas of the streams. Aquatic life uses in the streams that will be disturbed during construction is anticipated to recover and support approximately the same community structure as is now found in the existing channel. The construction of the new stream channels will occur before the existing channels are filled. Best Management Practices will be utilized to minimize any increases in SS during construction. The riparian buffer along the new channels will be planted with a suitable commercial native prairie grass/forbs mix. The native prairie grasses and forbs are expected to provide a higher habitat value than the vegetative cover along the existing ditches. The proposed pollutant load increases for this assessment do not include any impacts or discharges from the site that are covered under other permits including, but not limited to a NPDES permit and a solid waste landfill permit.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in SS due to construction activities will be local and temporary. Erosion control measures will be utilized to minimize any increase in SS and prevent further impact to the remaining stream. The proposed streams replanting plans will reestablish and enhance the aquatic life use.

Purpose and Social & Economic Benefits of the Proposed Activity.

The Applicant has stated that they anticipate that the current landfill will reach capacity by the end of 2013. This project will construct an expansion at an existing landfill operation resulting in the addition of approximately 6.7 tons of additional capacity. The proposed project will provide the area with waste disposal capacity until 2036. The Applicant has also stated that the existing landfill Cell Unit #1 is not lined and would not meet current standards. The Applicant has stated that landfill material from this existing Cell will be relocated to the new lined landfill cells.

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 be implemented to prevent additional impacts.

The Applicant has stated the following:

“The Ogle County Solid Waste Management Plan recommends continued reliance of the landfills within the County for final disposal of waste generated within its borders. The County desires to maintain at least 20 years of guaranteed capacity at these landfills. Rochelle Municipal Landfill #2 is necessary to provide continued, guaranteed capacity at this landfill and to fulfill the Plan recommendations.”

The Applicant has further stated that with a capacity increase of only 6.7 million tons this proposed expansion project will fulfill only a portion of the need for disposal capacity within the service area and therefore they did not consider reducing the size of the expansion footprint to be an option. In the designing phase of this project the Applicant redesigned the footprint to avoid the current wetland that is located on site.

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

In a report generated by through IDNR's EcoCAT system dated January 18, 2011, the Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species in the vicinity of the project location; therefore, consultation was 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 project will benefit the community at large by providing additional waste disposal capacity, separation of upstream farm drainage from the landfill drainage, removing waste from a current unlined landfill Cell and improving the drainage of the existing landfill. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.