

IEPA Log No.: **C-0307-12**  
CoE appl. #: **CEMVR-OD-P-2012-1251g**

Public Notice Beginning Date: **February 13, 2013**  
Public Notice Ending Date: **March 6, 2013**

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:** REG Seneca, LLC – 416 South Bell Avenue, Ames, Iowa 50010-0888

**Discharge Location:** Near Seneca in Section 30 of Township 33N, Range 6E of the 3 P.M. in Grundy County.

**Name of Receiving Water:** Illinois River

**Project Description:** Proposed new barge loading facility

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 Darren Gove at 217/782-3362.

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REG Seneca, LLC (“Applicant”) has applied for Section 401 water quality certification for impacts associated with their proposed biodiesel barge loading facility on the Illinois River. The project site is located in the City of Seneca, in Section 30, Township 33 North, Range 6 East. The proposed project would result in permanent impacts to 0.01 acres of benthic habitat in the Illinois River due to the construction of a 24-foot diameter steel sheet pile cell filled with concrete and two tripod mooring dolphins. Additionally, temporary impacts would occur due to dredging activities in an area 720 feet long and 80 feet wide, just outside of the navigational channel line. The excavated material would be transferred to an upland site on the Applicant’s property and placed within a containment berm outside of the Illinois River floodplain.

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

Segment D-23 of the Illinois River is a General Use water with a 7Q10 flow of 3,155 cfs. This segment of the Illinois River is listed on the draft 2012 Illinois Integrated Water Quality Report and Section 303(d) List as impaired for fish consumption (causes = polychlorinated biphenyls and mercury) and primary contact recreation (cause = fecal coliform). It is not listed as biologically significant and has not been given an integrity rating in the 2008 Illinois Department of Natural Resources Publication Integrating Multiple Taxa in a Biological Stream Rating System. It is listed as enhanced in regards to the dissolved oxygen water quality standard.

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

The pollutant load increases that would occur from this project include some increases in suspended solids during dredging and construction activities. The project would also permanently fill 0.01 acres of benthic habitat in the Illinois River.

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

The increase in suspended solids would be local and temporary. The benthic habitat to be dredged would be disturbed but should revert to its previous condition of aquatic life support soon after dredging. The project should have little if any impact on the aquatic life uses of this segment of the Illinois River.

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

The proposed activity would provide a new barge loading facility for the Applicant which would provide a valuable service to the region and would create additional jobs locally.

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

The Applicant would dispose of dredge spoil in an area outside of the floodplain and would construct a perimeter berm to prevent any discharge or runoff into the Illinois River. Additionally, disturbance from the mechanical dredging operation would be minimized by using a sealed clamshell bucket versus a regular excavating bucket. The sealed clamshell bucket would minimize the re-suspension of river sediment within the water column as the sediment is brought to the surface.

In regards to the permanent fill of the Illinois River due to the mooring dolphins and the sheet pile cell, there are no practical alternatives. The Applicant considered filling the cell with granular fill or leaving the cell hollow and capping it, but these are not valid alternatives given that the cell must be able to withstand the impact of barges. Concrete fill is required to attain the appropriate structural resistance.

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

The IDNR EcoCAT system was consulted on October 16, 2012. It was immediately determined that protected resources, the Dupont Hill Prairies INAI Site and Dupont Hill Prairies Natural Heritage Landmark, may be in the vicinity of the project location. The department evaluated this information and concluded that adverse effects are unlikely. Consultation was terminated in the October 22, 2012 letter from IDNR.

### **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 would result in the attainment of water quality standards; that all existing uses of the Illinois River would 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 would benefit the local community by providing new jobs. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.