

IEPA Log No.: **C-0369-17**
CoE appl. #: **MVS-2017-952**

Public Notice Beginning Date: **March 9, 2018**
Public Notice Ending Date: **March 30, 2018**

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

Section 401 Water Quality Certification for Discharge of Dredged or Fill Material

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: Marathon Pipe Line LLC – 5825 E. Cumberland Rd., Martinsville, IL
62442

Discharge Location: Near Vernon in Sections 10 and 15 of Township 34N, Range 1E of the P.M. in
Marion County.

Name of Receiving Water: Unnamed wetlands and a tributary to North Fork Kaskaskia River

Project Description: Proposed expansion of crude oil storage facility.

The Illinois Environmental Protection Agency (IEPA) has received an application for a Section 401 water quality certification to discharge dredged or fill material 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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Fact Sheet for Antidegradation Assessment
For Marathon Pipe Line LLC
IEPA Log No. C-0369-17
COE Log No. MVS-2017-952
Contact: Brian Koch 217/558-2012
Public Notice Start Date: March 9, 2018

Marathon Pipe Line, LLC (“Applicant”) has applied for a 401 Water Quality Certification for impacts associated with the construction of an expanded petroleum storage service facility located near Patoka in Sections 10 and 15, Township 4 North, Range 1 East, in Marion County, Illinois. The proposed project involves the construction of five additional storage tanks and associated infrastructure including new secondary containment berms, ingress/egress roads, connection pipes, and other associated facility upgrades. Best management practices (BMPs) would be implemented throughout the duration of the project. Erosion control BMPs would be in place prior to earth-disturbing activities. Sediment barriers would be installed around spoil piles and along the bank of an unnamed stream that would be unimpacted by fill activities, but may receive runoff from the project area. Erosion control would consist of silt fences and/or straw bale installation. Following disturbance, areas to be restored as grassed areas would be stabilized, reseeded, and mulched with straw.

Construction of the project would require permanent fill impacts to 4.16 acres of an emergent wetland. A total of approximately 585 cubic yards of structural fill would be required to stabilize the soil to support the storage tanks, construct the secondary containment berms, and construct the associated support facilities for the tanks. Following construction, the Applicant would restore site drainage to ensure that unimpacted portions of the wetland continue to receive surface water runoff from surface areas outside of the berms. Mitigation for permanent wetland impacts would be provided at a 1.5:1 ratio (6.9 acres of compensatory mitigation) through the purchase of certified wetland credits from the Fountain Creek Mitigation Bank, a wetland bank within the same watershed (Kaskaskia River).

Identification and Characterization of the Affected Water Body.

The wetland to be permanently impacted by the proposed activity is a General Use water that possesses zero cfs of flow during critical 7Q10 low flow conditions. The wetland has not been assessed under the Agency’s 305(b)/303(d) program and has not been given an integrity rating or been listed as biologically significant in the 2008 Illinois Department of Natural Resources publication *Integrating Multiple Taxa in a Biological Stream Rating System*. The wetland is not enhanced in regards to the dissolved oxygen water quality standard. Based on information collected during the wetland delineation, the wetland is considered to be a low quality aquatic resource due to its Floristic Quality Index (FQI) value of 5.2 and Native mean C value of 2.5 (calculated using *Plants of the Chicago Region*). Similarly, the Ohio Rapid Assessment Methodology identified the resource as being “a wetland of low quality with limited resources or habitat” and can be described as having “low species diversity, no significant habitat or wildlife use, limited potential to achieve beneficial wetland functions, and/or predominance of non-native species”.

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

Pollutant load increases that would be associated with this project are limited to a potential increase in suspended solids during construction activities. Impacts to the uses of downstream waters due to suspended solids are not anticipated. Construction of the project would

permanently fill 4.16 acres of an emergent wetland, which would remove the existing uses of this wetland.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids would be local and temporary and would be minimized to the greatest extent possible. Use of erosion control measures and BMPs would aid in filtering and retention of suspended solids and would minimize sediment transport to downstream waters. The permanent loss of wetland habitat would be offset with compensatory mitigation through purchase of certified wetland credits from an accredited mitigation bank within the same watershed.

Purpose and Social & Economic Benefits of the Proposed Activity.

Recent construction of third party crude oil pipelines in this area has generated a need for increased crude oil storage at the Patoka Tank Farm facility. The construction of new storage tanks at this locality would satisfy the demand for additional storage in this region. Further, the tank construction would also require the construction of new secondary containment berms, ingress/egress roads, connection pipes, and other ancillary facility upgrades that would require as many as 50 workers during peak construction periods. The influx of construction personnel would provide an economic boost to the area in the form of hotel rentals, food/beverage purchases, generated sales tax revenues, and equipment rentals.

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

The Applicant provided an assessment of alternatives in their joint application package received by the Agency on December 11, 2017. Additional materials used in evaluation of alternatives were submitted to the Agency on February 19, 2018 via e-mail. Due to the demand for additional storage in the immediate area, alternative build locations outside of Applicant's property limits are not feasible. Further, there is no other area within the Applicant's property limits with enough footprint to meet the long-term crude oil storage needs provided by the five new 200-foot diameter tanks. Additionally, other waters of the U.S. (wetlands and streams) and other facility infrastructure including many Applicant-owned and third-party owner pipelines with associated permanent easements preclude the construction of storage tanks in any other portion of the property.

As demonstrated by the application, there are no alternative locations on-site that are suitable for the needed expansion of the facility without incurring additional wetland/stream impacts. The least intrusive alternative would be the "No Build" alternative. However, this alternative is not acceptable given the need for additional storage in the area and the social and economic benefits the project would provide.

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

The Illinois Department of Natural Resources (IDNR) EcoCAT system was consulted on January 8, 2018. It was determined that no threatened or endangered species or protected natural areas are in the vicinity of the project location. Consultation was immediately terminated in the automated reply 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 and was based on the information available to the Agency at the time this assessment was written. We tentatively find that the proposed activity would result in the attainment of water quality standards; 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 be socially and economically beneficial by satisfying a need for additional crude storage in the region and providing stimulus to the local economy during construction. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.