

**MARION POWER PLANT – EMERY POND
SOUTHERN ILLINOIS POWER COOPERATIVE
LOCATION RESTRICTION DEMONSTRATION – WETLANDS**

Southern Illinois Power Cooperative operates the Marion Power Plant (site) located on the northwestern shore of Lake of Egypt near Marion, Illinois. Emery Pond has been identified as an existing coal combustion residuals (CCR) surface impoundment. The Emery Pond is a less-than-1-acre pond south of the main stack at the site.

This demonstration addresses the requirements of 40 CFR §257.61 Wetlands of the US Environmental Protection Agency (EPA)'s rule entitled *Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities*, published in the Federal Register on April 17, 2015 (CCR Rule). The CCR Rule is an extension of the Code of Federal Regulations (CFR) Title 40, Part 257 and was amended on July 2, 2015, by 40 CFR §257 *Technical Amendments to the Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities—Correction of the Effective Date* and again on July 30, 2018, by 40 CFR §257 *Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities; Amendments to the National Minimum Criteria (Phase One, Part One)*.

§257.61(a) Wetlands of the CCR Rule states:

New CCR landfills, existing and new CCR surface impoundments, and all lateral expansions of CCR units must not be located in wetlands, as defined in §232.2 of this chapter, unless the owner or operator demonstrates by the dates specified in paragraph (c) of this section that the CCR unit meets the requirements of paragraphs (a)(1) through (5) of this section.

Hanson Professional Services Inc. conducted a desktop environmental resources review to evaluate whether Emery Pond is located in potential wetlands and waters of the United States. Information reviewed included:

- i) USGS Topographic map
- ii) U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI)
- iii) U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Surveys; Hydric Soil Rating
- iv) Google Earth Aerial Imagery
- v) Historical Aerial Imagery

Based on the desktop review, it is unlikely Emery Pond was constructed in wetlands or waters of the United States. The USGS Topographic and National Wetland Inventory (NWI) maps did not show mapped wetlands or waterbodies within the review area.

Positive wetland indicators of three environmental parameters including hydrology, hydric soil, and hydrophytic vegetation are normally present within wetlands. The web soil survey does not indicate mapped hydric soils in the review area. Historical aerial photographs were reviewed dating back to 2004. Emery Pond is visible in all of these aerial photographs. Indicators of inundation, wetness signatures, saturation, or stressed vegetation were not observed on the aerial photos reviewed in the direct vicinity surrounding Emery Pond.

§257.61(b) of the CCR Rule states:

The owner or operator of the CCR unit must obtain a certification from a qualified professional engineer stating that the demonstration meets the requirements of paragraph (a) of this section.

As a Qualified professional engineer as defined by 40 CFR 257 Subpart D, I certify that I have personally examined and am familiar with the design information referenced below, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I certify that Emery Pond meets the wetland requirements set forth by 40 CFR §257.61(a).

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Seal:



License Expires 11/30/2019

Signature: David B. Hoots

Date: 2/15/2019