



DEPARTMENT OF THE ARMY
ROCK ISLAND DISTRICT, CORPS OF ENGINEERS
CLOCK TOWER BUILDING - P.O. BOX 2004
ROCK ISLAND, ILLINOIS 61204-2004

February 7, 2006

REPLY TO
ATTENTION OF:

Planning, Programs, and
Project Management Division

52-007

Mr. Thomas Kenyon
Senior Environmental Project Manager
OWFN 11 F-1
United States Nuclear Regulatory Commission
Washington, D.C. 20555-001

Dear Mr. Kenyon:

I received your letter dated October 12, 2005, requesting comments regarding the *Environmental Impact Statement for an Early Site Permit (ESP) at the Exelon ESP Site (EIS)*. Rock Island District staff reviewed the information you provided and have the following comments:

- a. Your proposal does not involve Rock Island District Corps of Engineers (Corps) administered land; therefore, no further Rock Island District Corps real estate coordination is necessary.
- b. Any proposed placement of fill or dredged material into waters of the United States (including wetlands) requires Department of the Army authorization under Section 404 of the Clean Water Act. A Section 404 permit will be required for this project. Prior to submission of the permit application to the Corps, we suggest that project proponents contact this District for pre-application discussions on content of the application, timing, etc. When detailed information is available, please complete and submit the enclosed application packet to the Rock Island District for processing (enclosure). The application should include determinations of wetlands and other waters of the United States, size estimations of impacts to those areas, and wetland types and relative functions.
- c. The Responsible Federal Agency should coordinate with Ms. Anne Haaker, the Illinois State Historic Preservation Officer, 1 Old State Capitol Plaza, Springfield, Illinois 62704 to determine impacts to historic properties.
- d. The Rock Island Field Office of the U.S. Fish and Wildlife Service should be contacted to determine if any federally listed endangered species are being impacted and, if so, how to avoid or minimize impacts. The Rock Island Field Office address is: 4469 - 48th Avenue Court, Rock Island, Illinois 61201. Mr. Rick Nelson is the Field Supervisor. You can reach him by calling 309/793-5800.

DO73

e. The Illinois Emergency Management Agency should be contacted to determine if the proposed project may impact areas designated as floodway. Mr. Ron Davis is the Illinois State Hazard Mitigation Officer. His address is: 1035 Outer Park, 2nd Floor, Springfield, Illinois 62704. You can reach him by calling 217/782-8719.

f. The EIS does not provide any information regarding the lack of effects from the project. The Corps suggests close coordination with U.S. EPA and Illinois EPA to ensure water quality requirements are met.

No other concerns surfaced during our review. Thank you for the opportunity to comment on your proposal. If you need more information, please call Mr. Matt Campbell of our Economic and Environmental Analysis Branch, telephone 309/794-5827.

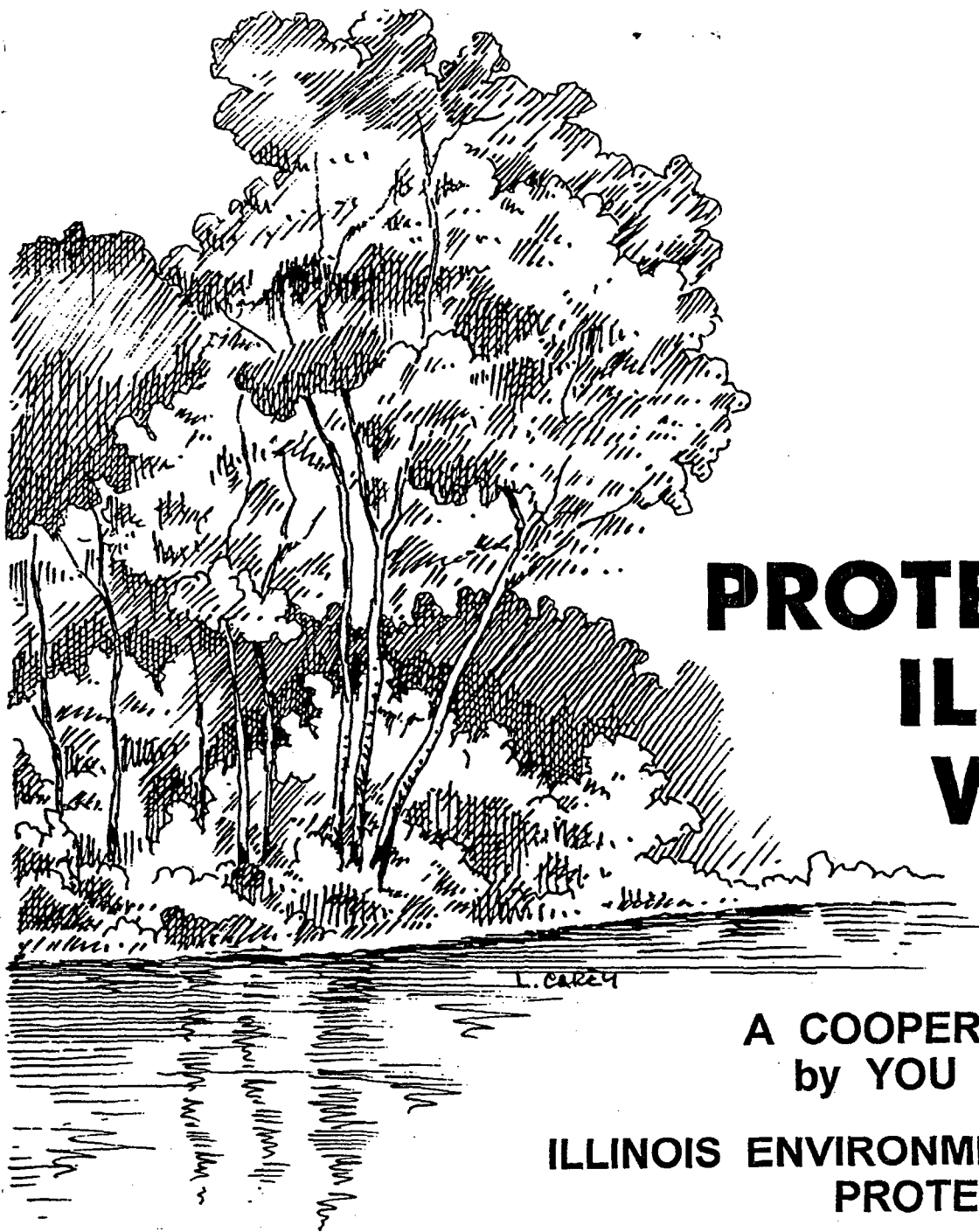
You may find additional information about the Corps' Rock Island District on our web site at <http://www.mvr.usace.army.mil>. To find out about other Districts within the Corps, you may visit web site: <http://www.usace.army.mil/divdistmap.html>.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Barr". The signature is fluid and cursive, with the first name "Kenneth" and last name "Barr" clearly distinguishable.

Kenneth A. Barr
Chief, Economic and
Environmental Analysis Branch

Enclosure



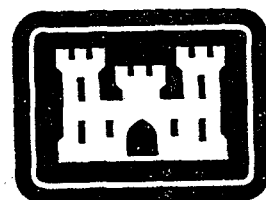
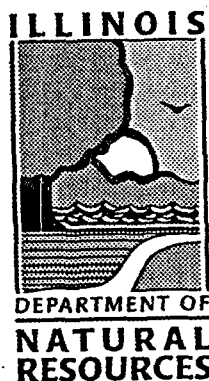
PROTECTING ILLINOIS WATERS

A COOPERATIVE EFFORT:
by YOU and

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

U. S. ARMY CORPS OF ENGINEERS



PERMITS REQUIREMENTS FOR THE STATE OF ILLINOIS

JOINT APPLICATION PROCESS

Construction projects in Illinois waterways, floodplains and wetlands often require both State and Federal authorization. This application packet is designed to simplify the approval process for the applicant seeking project authorization from the U.S. Army Corps of Engineers (USCOE), The Illinois Department of Natural Resources, Office of Water Resources (IDNR/OWR) and the Illinois Environmental Protection Agency (IEPA). Please refer to the map on page 7 for agency addresses and telephone numbers. Each of these agency's authorities and requirements are briefly explained in the following paragraphs. Application Forms are available from any of the listed agencies.

Anyone proposing to construct, operate or maintain any dam, dock, pier, wharf, sluice, levee, dike, building, utility crossing, piling, wall, fence or other structure in, or dredge, fill or otherwise alter the bed or banks of, any stream, lake, wetland, floodplain or floodway subject to State or Federal regulatory jurisdiction should apply for agency approvals. The appropriate copy of the joint application form, drawing, and copy of any additional support information should be sent to each of the regulatory agencies. Approvals may be required by any or all of the agencies. Applications filed simultaneously with the USCOE, IDNR/OWR, and IEPA will be processed concurrently, in an independent manner, and should result in expedited receipt of all agency determinations. If a permit is not required by one or more of the agencies, they will inform the applicant and the other agencies.

Coordination with the regulatory and other review agencies is recommended as early as possible during the project planning stage. This allows revisions or other measures necessary to meet agency requirements to be made before project plans are finalized.

AGENCY AUTHORITIES AND REQUIREMENTS

1. The basis for the U.S. Army Corps of Engineers regulatory function over public waterways was formed in 1899 when Congress passed the Rivers and Harbors Act of 3 March 1899. Until 1968, the Rivers and Harbors Act of 1899 was administered to protect only navigation and the navigable capacity of this nation's waters. In 1968, in response to a growing national concern for environmental values, the policy for review of permit applications with respect to Sections 9 and 10 of the Rivers and Harbors Act was revised to include additional factors (fish and wildlife, conservation, pollution, aesthetics, ecology, and general welfare) besides navigation. This new type of review was identified as a "public interest review".

The Corps of Engineers regulatory function was expanded when Congress passed the Federal Water Pollution Control Act Amendments of 1972 and then the Clean Water Act Amendments in 1977. The purpose of the Clean Water Act was to restore and maintain the chemical, physical, and biological integrity of this nation's waters. The "waters of the United States" regulated by the Corps of Engineers under Section 404 of the Clean Water Act includes most wetland areas.

The Corps of Engineers is responsible for determining the jurisdictional limits of wetlands and other waters of the United States. Applicants may, however, elect to have a qualified representative conduct the appropriate preliminary wetland delineation for submittal with the permit application. All such determinations are subject to verification and confirmation by the Corps of Engineers. Although applicants are not required to provide a wetland delineation, these can assist in reducing delays associated with normal permit processing. Contact the appropriate Corps District office for additional information.

**WITH YOUR HELP ILLINOIS WATERS CAN BE PROTECTED FOR
FUTURE GENERATIONS**

2. The Illinois Department of Natural Resources, Office of Water Resources, regulatory authority is the Rivers, Lakes and Streams Act (615 ILCS5, 1998). Under this authority, permits are required for dams, for any construction within a public body of water, and for construction within floodways. Generally, floodway projects also require local authorization. In addition, floodway map revision approvals may be required by IDNR/OWR and by the Federal Emergency Management agency (FEMA) for major projects. Information and specific project requirements may be obtained as follows:

For Lake Michigan - All projects in or along Lake Michigan are subject to the Regulation of Public Waters rules (92 Illinois Administrative Code, Part 3704). Joint permits are required for any work in Lake Michigan from IDNR/OWR and IEPA. Contact the Lake Michigan Management Section, Illinois Department of Natural Resources, Office of Water Resources, 310 S. Michigan - Rm1606, Chicago, IL 60604, (312) 793-3123.

For Cook, Lake, McHenry, DuPage, Kane and Will Counties - All projects within designated floodways are subject to the Floodway Construction Rules (92 Illinois Administrative Code, Part 3708). Dams are subject to the Rules for Construction and Maintenance of Dams (92 Illinois Administrative code, Part 3702). All projects in public waters are subject to the Regulation of Public Waters rules (92 Illinois Administrative code, Part 3704). All other floodway construction projects are subject to the Construction in Floodways of Rivers, Lakes and Streams rules (92 Illinois Administrative Code, Part 3700). Contact the Northeastern Illinois Regulatory Programs Section, Illinois Department of Natural Resources, Office of Water Resources, 201 W. Center Court - 3rd floor, East Schaumburg, IL 60196-1096, (847) 705-4341.

For the remainder of the State - Dams are subject to the Rules for Construction and Maintenance of Dams (92 Illinois Administrative Code, Part 3702). All projects in public waters are subject to the Regulation of Public Waters rules (92 Illinois Administrative Code, Part 3704). All other floodway construction projects are subject to the Construction in Floodways of Rivers, Lakes, and Streams rules (92 Illinois Administrative Code, Part 3700). Contact the Downstate Regulatory Programs Section, Illinois Department of Natural Resources, Office of Water Resources, 524 South Second Street, Springfield, IL 62701-1787, (217) 782-3863.

The Illinois Department of Natural Resources is also responsible under Illinois statutes for conserving and preserving the State's natural resources.

Under the provisions of the Fish and Wildlife Coordination Act (16 U.S.C. 661-664) the Department is given permit review responsibilities relative to Corps of Engineers permit applications.

The Department also administers the Interagency Wetland Policy Act of 1989 which is applicable to State agency actions and the Illinois Endangered Species Protection Act (Section 341) which is applicable to state agencies and local governments. Consultation with the Department under these Acts may be necessary in addition to these permit requirements.

Questions pertaining to this portion of the Department's role should be addressed to the Illinois Department of Natural Resources, Office of Realty and Environmental Planning, Division of Natural Resource Review and Coordination, 524 South Second Street, Springfield, IL 62701-1787, (217) 785-5500.

3. The Illinois Environmental Protection Agency provides water quality certification pursuant to Section 401 of the Clean Water Act. This certification is mandatory for all projects requiring a Section 404 permit. In addition to determining that the proposed work will not violate the applicable water quality standards, the IEPA also makes a determination of additional permit requirements pursuant to the Illinois Pollution Control Board Rules and Regulation. Additional permits may be required for activities such as construction of sanitary sewers, water mains, sewage and water treatment plants, landfill and mining activities, special waste hauling and disposal (of dredged material), and other miscellaneous activities. Separate applications are necessary if it is determined that IEPA permit is required. For projects in Lake Michigan, a joint permit is required from the IEPA and IDNR/OWR in addition to the Section 401 certification and 404 permit. An application for any structure or work in Lake Michigan may be filed with appropriate agencies using this form.

Contact the IEPA, Bureau of Water, Watershed Management Section, 1021 North Grand Avenue East, Springfield, IL 62794-9276, (217) 782-0610, FAX: (217) 782-9891.

4. If the project involves the construction of a power plant, utility pipelines, electric transmission or distribution lines, Illinois Commerce Commission approval may be required.

5. Also, depending on the location and type of work to be performed, there may additional local government approvals required.

INSTRUCTIONS

General

It is very important that you provide a complete and accurate application (form, drawings, and support information) concerning your project. If the application is incomplete or unacceptable, it will be returned. This usually results in delaying the evaluation of your application.

Submit one copy of the application (form, drawings, and support information) to each regulatory agency (Corps of Engineers; Illinois Environmental Protection Agency (IEPA), and Illinois Department of Natural Resources, Office of Water Resources (IDNR/OWR). For addresses see the jurisdictional boundary map on page 7.

Application

Item 4 - APPLICANT. List the name, mailing address, and telephone number of each applicant. The applicant shall be the p11List all applicants; attach an additional sheet if necessary.

Item 5 - AUTHORIZED AGENT. If the applicant designates an authorized agent for the purpose of obtaining the permits, list the name, address, and phone number of the authorized agent. During the permit process, correspondence, such as requests for additional information, will generally be sent to the authorized agent.

Item 6 - PROJECT DESCRIPTION AND REMARKS. The applicant must provide a complete description of the activity, the drainage area of the watershed to the downstream limit of the project, the purpose, and the intended use. For any major activity, additional support information should be provided by attaching sheets to the application.

Dredging and Fill Activities. Describe the location, type, composition and quantity of material to be dredged/filled, method of dredging/filling, and method of transportation to disposal/fill site. Also, describe the disposal/fill site by including the location, quantity of material it will hold, composition of receiving soil, and method of containment. Provide Illinois Environmental Protection Agency with material analysis data as required.

Identify any practical alternatives which would fulfill the objectives of the proposed project. You should consider alternative methods and locations and explain why the final proposal was selected. Discussion should also consider partial solutions and the alternative of "no action". This analysis is required so that the final project recommendation is not contrary to the public interest.

Item 13 - APPLICANT VERIFICATION. The application must be signed by the applicant; however:

- The application may be signed by a duly authorized agent (name in Item 5) if this form is accompanied by a statement by the applicant(s) designating the agent and agreeing to furnish upon request supplemental information in support of the application;
- If the applicant is a corporation, the president or other authorized officer shall sign the application form;
- If the applicant is a county, city, or other political subdivision, the application form shall be signed by an appropriate authorized officer;
- If the applicant is a partnership, each partner shall sign the application form;
- If the applicant is a trust, the trust officer shall sign the name of the trustee by him/her as trust officer. A disclosure affidavit must be filed with the application, identifying each beneficiary of the trust by name and address and defining the respective interest therein.

DRAWINGS

Each sheet of drawings submitted should contain a title block in the lower right hand corner identifying the proposed activity, the name of the body of water, river mile (if applicable), number of the sheet and total number of sheets in the set, and date that the drawing was prepared. Certified engineering plans and specifications may be submitted in lieu of the drawing sheets if the magnitude of the project warrants.

The first sheet to the drawings should include a vicinity map which shows:

- Project site
- Name of waterway
- All applicable boundary lines
- Name of and distance to local town, community or other identifying location
- Names of all roads in the vicinity of the site
- Graphic or numerical scale
- North arrow

The drawings should also be dated and include a plan view (overhead view) of the project showing:

- Existing shoreline and the normal water surface elevation (if mean sea level datum is not used, adjustment should be indicated)
- Adjacent property lines and ownership as listed in item 7 of the application
- Principal dimensions of the structure or work and extent of encroachment into the waterway (as measured from a fixed structure or object)
- Distance between the proposed activity and the navigation channel, where applicable
- Floodway/floodplain lines if established and if known
- North arrow
- Graphic or numerical scale
- Details describing the proposed method of revegetation or stabilization of disturbed areas

The drawings should also contain a cross section view of the project showing:

- Shoreline, elevations, and principal dimensions of the work shown in the plan view
- Graphic or numerical scales (horizontal and vertical)

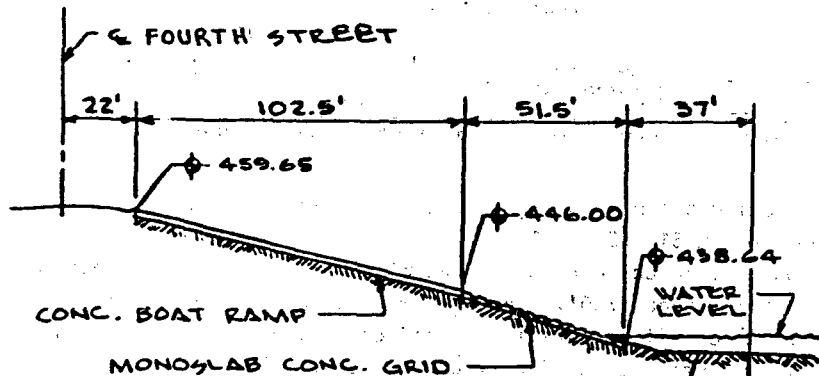
DISCLOSURE STATEMENT

Information in the application is a matter of public record. Disclosure of the information requested is voluntary; however, the data requested are necessary in order to communicate with the applicant and to evaluate the permit application. If necessary information is not provided, the permit application cannot be processed nor can a permit be issued.

18 United States Code, Section 1001, provides that whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both.

**APPLICANTS MUST OBTAIN ALL APPROVALS BEFORE WORK CAN BE STARTED.
PROCEEDING WITHOUT THE REQUIRED PERMITS IS AGAINST STATE AND FEDERAL LAWS
AND MAY RESULT IN LEGAL PROCEEDINGS AND FINES.**

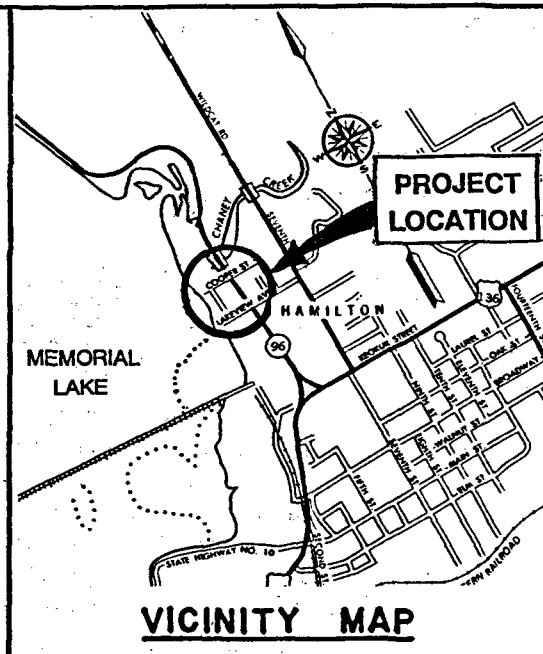
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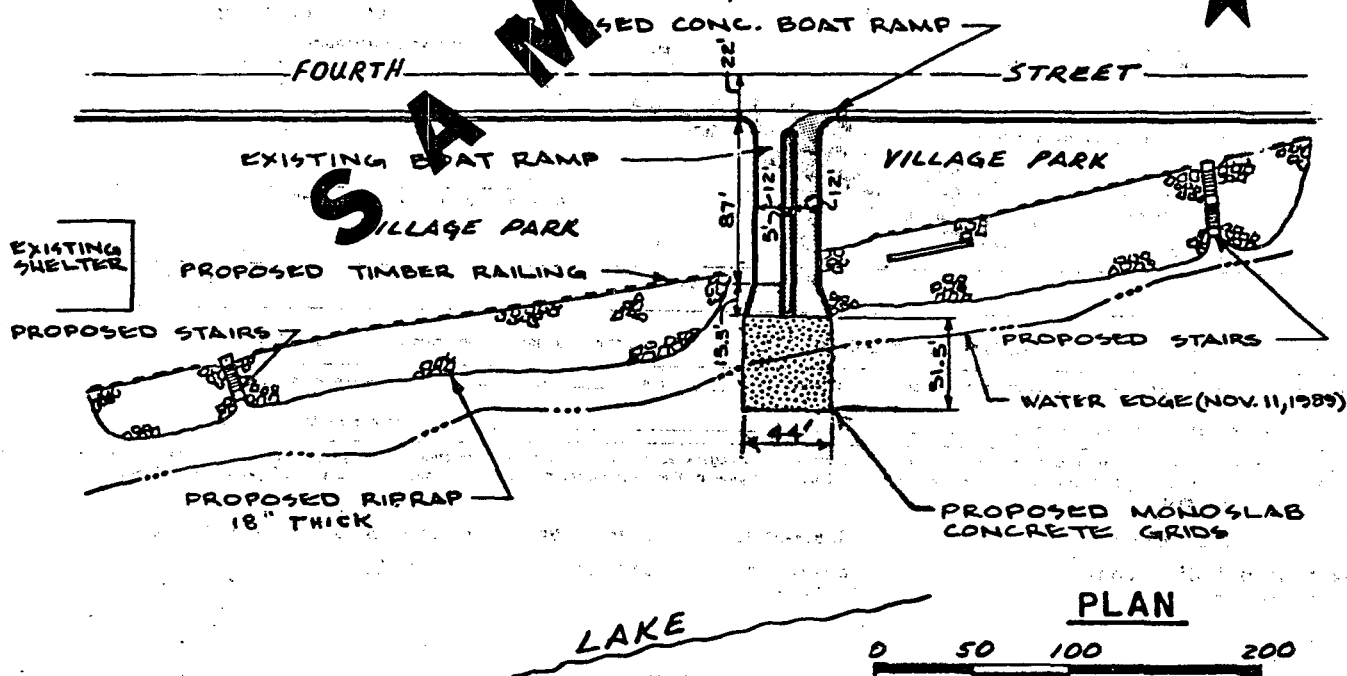
TYPICAL SECTION

HORIZ. SCALE 1" = 60'
VERT. SCALE 1" = 30'

HIGH WATER LEVEL EL. 443.00
LOW WATER LEVEL EL. 441.50



VICINITY MAP



PLAN

0 50 100 200
SCALE IN FEET

LIST OF ADJACENT PROPERTY OWNERS

NO.	NAME	ADDRESS
1.	XYZ Corporation,	10 Copper St., Laketown, IL 61234
2.	Mr. John Doe,	12 Green St., Laketown, IL 61234
3.		
4.		

PROJECT DESCRIPTION:
LAKETOWN MEMORIAL BOAT RAMP
PROJECT

LOCATION: Laketown, IL.
Memorial Lake

DATE: 12/07/95 Sheet 1 of 1

REGULATORY JURISDICTIONAL BOUNDARIES

US ARMY CORPS OF ENGINEERS
ROCK ISLAND DISTRICT
 CLOCKTOWER BUILDING
 P.O. BOX 2004
 ROCK ISLAND, IL 61204-2004
 309-794-5373
www.mvt.usace.army.mil

ILLINOIS ENVIRONMENTAL PROT. AGENCY
WATERSHED MANAGEMENT SECTION
 1021 NORTH GRAND AVENUE EAST
 SPRINGFIELD, IL 62794-0276
 217-782-0610
www.epa.state.il.us

ILLINOIS DEPT. OF NATURAL RESOURCES
OFFICE OF WATER RESOURCES
 524 SOUTH SECOND STREET
 SPRINGFIELD, IL 62701-1767
 217-782-3863
dnr.state.il.us

US ARMY CORPS OF ENGINEERS
ST. LOUIS DISTRICT
 1222 SPRUCE
 ST. LOUIS, MO 63103-2833
 314-331-8575
www.mvs.usace.army.mil

US ARMY CORPS OF ENGINEERS
MEMPHIS DISTRICT
 167 NORTH MAIN
 B-202
 MEMPHIS, TN 38103-1894
 901-544-3471
www.lmm.usace.army.mil

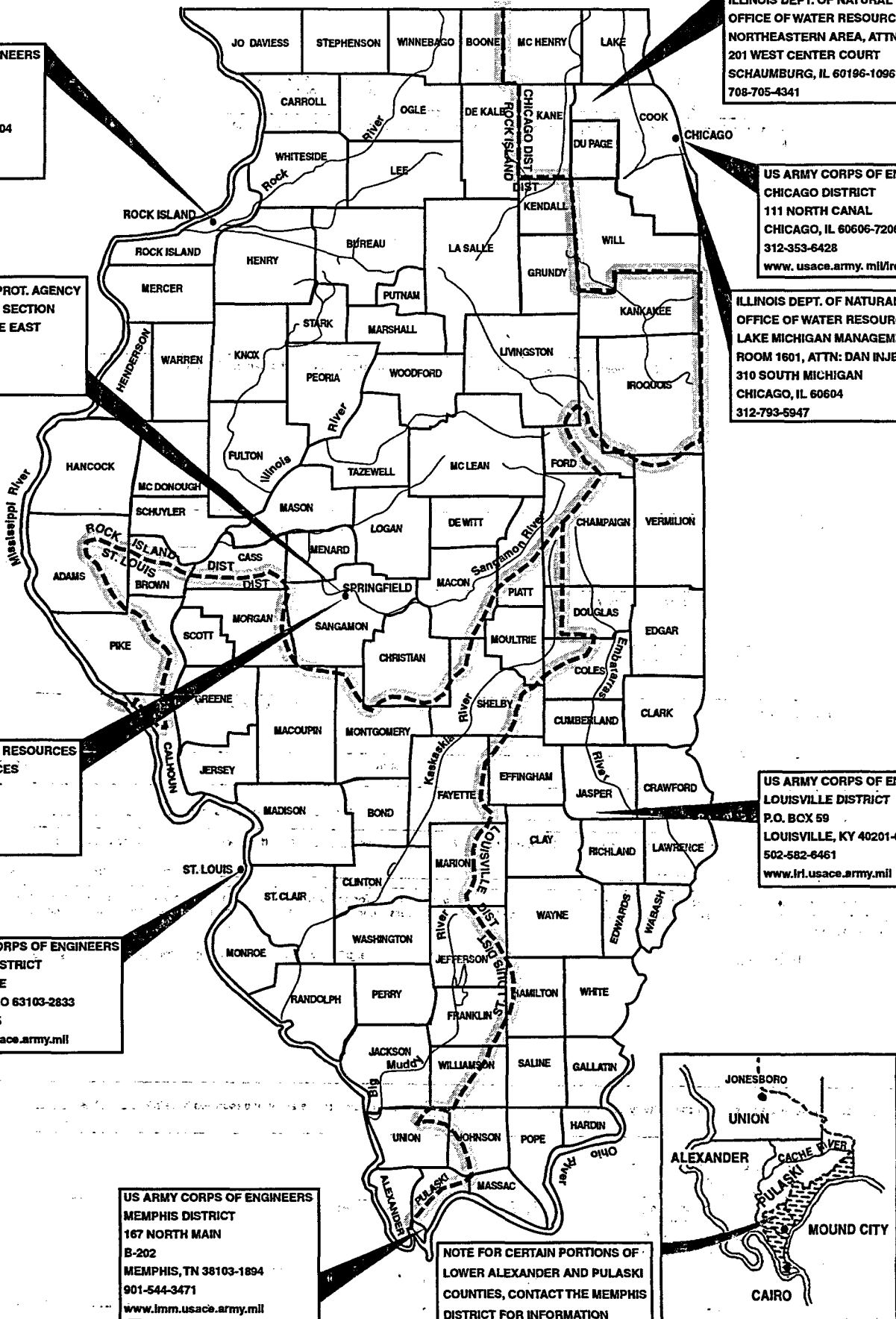
ILLINOIS DEPT. OF NATURAL RESOURCES
OFFICE OF WATER RESOURCES
 NORTHEASTERN AREA, ATTN: GARY JEREB
 201 WEST CENTER COURT
 SCHAUMBURG, IL 60196-1096
 708-705-4341

US ARMY CORPS OF ENGINEERS
CHICAGO DISTRICT
 111 NORTH CANAL
 CHICAGO, IL 60606-7206
 312-353-6428
www.usace.army.mil/irc

ILLINOIS DEPT. OF NATURAL RESOURCES
OFFICE OF WATER RESOURCES
 LAKE MICHIGAN MANAGEMENT SECTION
 ROOM 1601, ATTN: DAN INJERD
 310 SOUTH MICHIGAN
 CHICAGO, IL 60604
 312-793-5947

US ARMY CORPS OF ENGINEERS
LOUISVILLE DISTRICT
 P.O. BOX 59
 LOUISVILLE, KY 40201-0059
 502-582-6461
www.lrl.usace.army.mil

**NOTE FOR CERTAIN PORTIONS OF
 LOWER ALEXANDER AND PULASKI
 COUNTIES, CONTACT THE MEMPHIS
 DISTRICT FOR INFORMATION**



JOINT APPLICATION FORM																									
1. Application Number (to be assigned by Agency)		2. Date Day _____ Month _____ Year _____		3. For agency use only (Date Received)																					
4. Name and address of applicant			5. Name, address, and title of authorized agent																						
Telephone no. during business hours _____ A/C () _____			Telephone no. during business hours _____ A/C () _____																						
6. Project Description and Remarks: Describe in detail the proposed activity, its purpose, and intended use. Also indicate the drainage area at the watershed to the downstream limit. Use attachments if needed.																									
7. Names, addresses, and telephone numbers of all adjoining and potentially affected property owners, including the owner of the subject property if different from applicant.																									
8. Location of activity																									
Name of waterway at location of the activity _____			Legal Description: _____ 1/4 Sec. Twp. Rge. P.M.																						
Address: _____			UTM (Universal Transverse Mercator): _____ If available _____ Zona North East																						
Street, road, or other descriptive location _____			Name of Local Government Community _____																						
In or near city or town _____			County _____ State _____ Zip Code _____																						
9. Date activity is proposed to commence _____ Estimated Time of Construction _____																									
10. Is any portion of the activity for which authorization is sought now complete? _____ Yes _____ No If answer is "Yes" give reasons in Item 6. Month and Year the activity was completed _____ Indicate the existing work on drawings.																									
11. List all approvals or certifications required by other federal, interstate, state, or local agencies for any structures, construction, discharges, deposits, or other activities described in this application. If this form is being used for concurrent application to the Corps of Engineers, Illinois Department of Natural Resources, and Illinois Environmental Protection Agency, these agencies need not be listed.																									
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Signature of Applicant or Authorized Agent _____																									
Typed or Printed Name of Applicant or Authorized Agent _____																									

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8. Location of activity				
Name of waterway at location of the activity _____ Address: _____ Street, road, or other descriptive location _____ In or near city or town _____ County _____ State _____ Zip Code _____		Legal Description: UTM (Universal Transverse Mercator): If available Zone North East		
9. Date activity is proposed to commence _____ Estimated Time of Construction _____				
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PROJECT DESCRIPTION

LOCATION:

PROJECT DESCRIPTION

LOCATION:

PROJECT DESCRIPTION

LOCATION:

PROJECT DESCRIPTION

LOCATION:

VICINITY MAP

LIST OF ADJACENT PROPERTY OWNERS

NO.	NAME	ADDRESS
1.		
2.		
3.		
4.		

PROJECT DESCRIPTION

LOCATION:

VICINITY MAP

LIST OF ADJACENT PROPERTY OWNERS

NO.	NAME	ADDRESS
1.		
2.		
3.		
4.		

PROJECT DESCRIPTION

LOCATION:

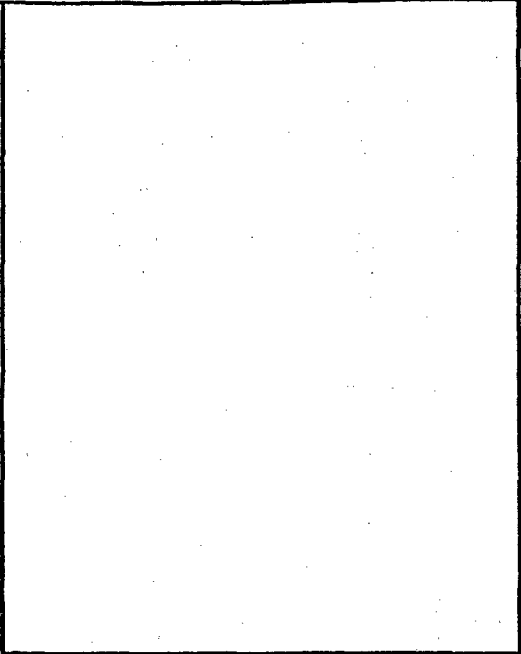
VICINITY MAP

LIST OF ADJACENT PROPERTY OWNERS

NO.	NAME	ADDRESS
1.		
2.		
3.		
4.		

PROJECT DESCRIPTION

LOCATION:



VICINITY MAP

LIST OF ADJACENT PROPERTY OWNERS

NO.	NAME	ADDRESS
1.		
2.		
3.		
4.		

PROJECT DESCRIPTION

LOCATION: