

**LaSalle Environmental Audit
Response to Request for Additional Information**

Index #: 041

RAI #: SW-13

Category: Water Resources

Statement of Question:

Provide for review copies of all current Clean Water Act Section 404 permits, and state equivalent permits, issued to Exelon for LSCS activities including the following: Department of Army Permit CEMVR-OD-P-2006-185.

Response:

LSCS has no Clean Water Act Section 404 permits for the discharge of dredge or fill material into wetlands. Currently, maintenance dredging in the Illinois River at the LSCS is performed on an as-needed basis under Department of the Army, Rivers and Harbors Act Section 10 permit CEMVR OD-P-2006-185, a copy of which is being provided as Attachment 1 to this RAI response.

List Attachments Provided:

1. Department of the Army Rivers and Harbors Act Section 10 permit CEMVR OD-P-2006-185

NON-EXELON

RAI # SW-13
ATTACHMENT 1

DEPARTMENT OF THE ARMY PERMIT

Permit Number: CEMVR-OD-P-2006-185

Section 10

Permittee: Exelon Generating Company, LLC,
LaSalle County Generating Station
2601 North 21st Road
Marseilles, Illinois 61341-9757

POC: Mr. Daniel Enright

Tel: (815) 415-3700

Effective Date:

Expiration Date: 31 December 2015

Issuing Office: U.S. Army Corps of Engineers, Rock Island District
Clock Tower Building - P.O. Box 2004
Rock Island, Illinois 61204-2004

You are authorized to perform work in accordance with the terms and conditions specified below.

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

Project Description: The permittee will perform maintenance dredging activities on the Illinois River. Less than 100 cubic yards of sediment within the forebay will be mechanically removed and temporarily stockpiled adjacent to the dredging site in a self-contained non-wetland area. Once dewatered, the material will be used for landscaping projects. Maintenance dredging will occur on an as needed basis. The material will be disposed of as stated above.

Project Location: Illinois River, left bank, approximate river mile 249.5, in Section 28, Township 33 North, Range 5 East, near Marseilles, LaSalle County, Illinois, UTM NAD-83 Zone.16, Northing 4574615, Easting 360786.

In accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit.

Drawing(s) No. CEMVR-OD-P-2006-185

Sheet 1 of 3, Location Map
Sheet 2 of 3, Plan View
Sheet 3 of 3, Cross Section

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on the date specified on page 1. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before that date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party, in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archaeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions. (Condition is not applicable for Section 10 Permits.)

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

1. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. That all disturbed areas due to the dredging activities shall be seeded to prevent erosion as soon as conditions allow.

Further Information:

1. **Congressional Authorities:** You have been authorized to undertake the activity described above pursuant to:

- (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
- () Section 404 of the Clean Water Act (33 U.S.C. 1344).
- () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. **Limits of this authorization.**

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. **Limits of Federal Liability.** In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. **Reliance on Applicant's Data:** The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. **Reevaluation of Permit Decision.** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, NORTH CENTRAL, ROCK ISLAND (CENCR)
CLOCK TOWER BUILDING P.O. BOX 2004
ROCK ISLAND, IL 61204-2004

FACSIMILE DIRECTORY

INFORMATION CENTER DIRECT ACCESS 309/794-4201

EXECUTIVE OFFICE DIRECT ACCESS 309/794-5181

ALL NUMBERS CAN BE DIALED DIRECT AND ARE VALID ON FTS 2000, DIAL 309/794, PLUS THE FOUR DIGIT EXTENSION

CEMVR-CT - Contracting Division	5172	CEMVR-OD-RC - Coralville Lake	5705
CEMVR-PA - Public Affairs	5793	CEMVR-OD-RI - Illinois Waterway Visitor's Center	5782
CEMVR-ED - Engineering Division	5659	CEMVR-OD-RM - Mississippi River Project	4347
CEMVR-ED-DG - General Engineering	5698	CEMVR-OD-RM L/D 11 - Park Ranger	5725
CEMVR-ED-H - Hydraulics Branch	5584	CEMVR-OD-RM L/D 13 - Park Ranger	815/259-3629
CEMVR-EM/PM - Emergency Management	5404	CEMVR-OD-RM L/D 15 - Park Ranger	5741
CEMVR-HR - Human Resource Office	5629	CEMVR-OD-RM L/D 16 - Park Ranger	319/263-7105
CEMVR-OC - Office of Counsel	5482	CEMVR-OD-RM L/D 21 - Park Ranger	5767
CEMVR-CD - Construction Division	5795	CEMVR-PD - Planning Division	5710
CEMVR-OD-I - Illinois Waterway Project Office	5763	CEMVR-PP-M - Project Management	5181
CEMVR-OD-MP - LeClaire Base Maintenance	4483	CEMVR-RE - Real Estate Division	5787
CEMVR-OD-R - Natural Resource Mgmt Branch	5180	CEMVR-RM - Resource Management	5585
CEMVR-IM-SC - Radio Shop	4317	CEMVR-OD-P Regulatory Functions Branch	5191 or 5190
CEMVR-CD-E - Eastern Area Office	815/434-7841	CEMVR-CD-J - L/D 13 Construction Trlr	815/589-4591
CEMVR-CD-J - Bannendorf Area Office	319/386-0763	CEMVR-CD-P - Peoria Area Office	309/694-7834
CEMVR-OD-RR - Lake Red Rock	515/828-7952	CEMVR-OD-RS - Saylorsville Lake	515/273-2088

FACSIMILES CAN BE SENT TO ALL CENCR OFFICES THROUGH THE INFORMATION CENTER.

CENCR FACSIMILE HEADER SHEET

DATE: 4-14-06

REMARKS:

SENDER

NAME: John A. Ditke

OFFICE SYMBOL: _____

OFFICE TELEPHONE NUMBER: (309) 794-5380

TOTAL NUMBER OF PAGES, INCLUDING THIS HEADER SHEET _____

RECEIVER

NAME: Fred Bevington

OFFICE SYMBOL: _____

OFFICE TELEPHONE NUMBER: _____

FAX NUMBER: _____

Fred, here is the signed page 4 of the permit. You are authorized to go. Please sign & send the other copy of the permit to me. We both then get an original

Thanks

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.


Permittee

4/12/06
Date

This issuing officer for this permit is Duane P. Gapinski, Colonel, U.S. Army, District Engineer, Rock Island District.

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, and in accordance with CEMVR-OD-P appointment order 28 March 2000 has signed below.

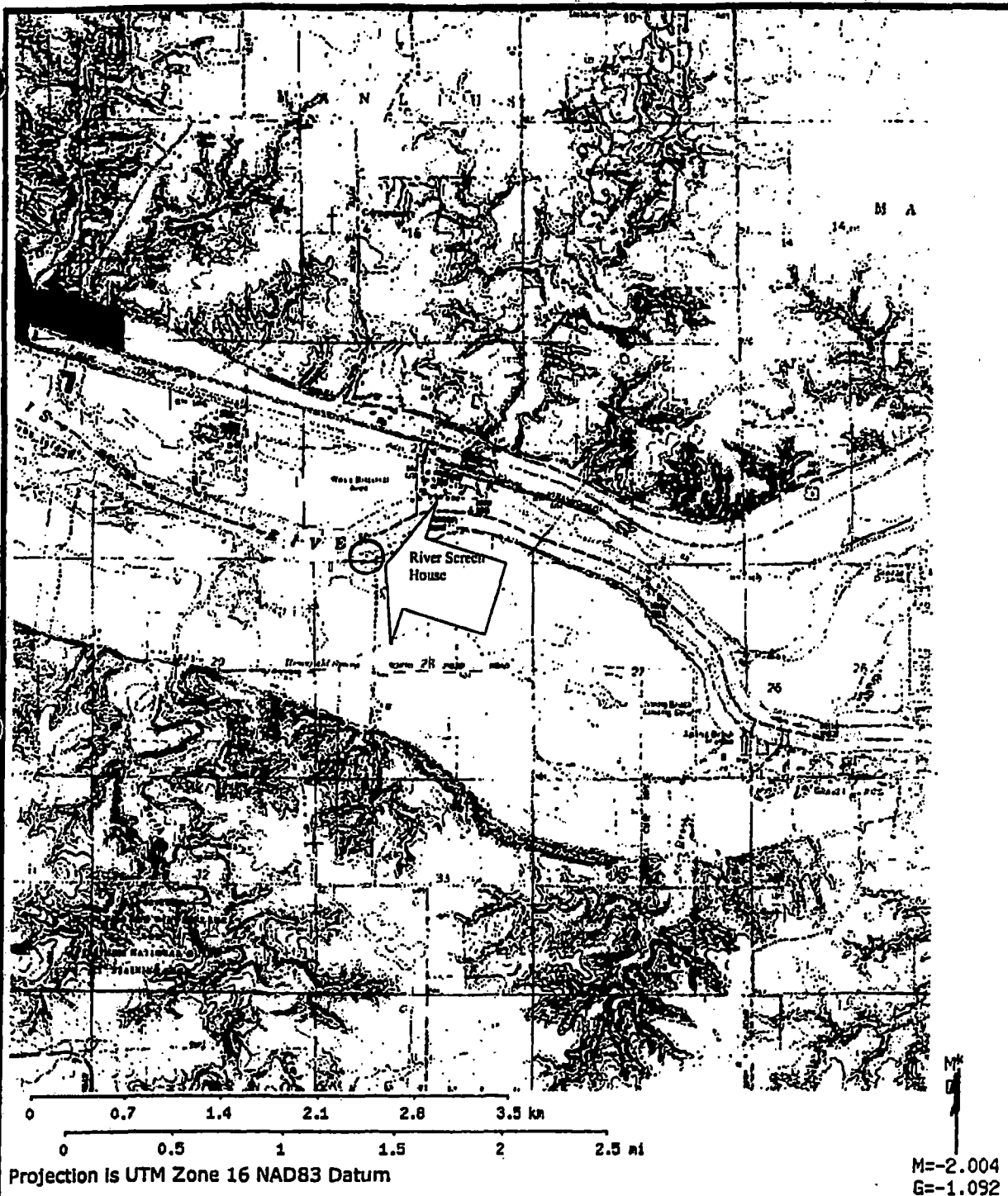

John G. Betker
Project Manager

4-14-06
Date

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

Transferee

Date



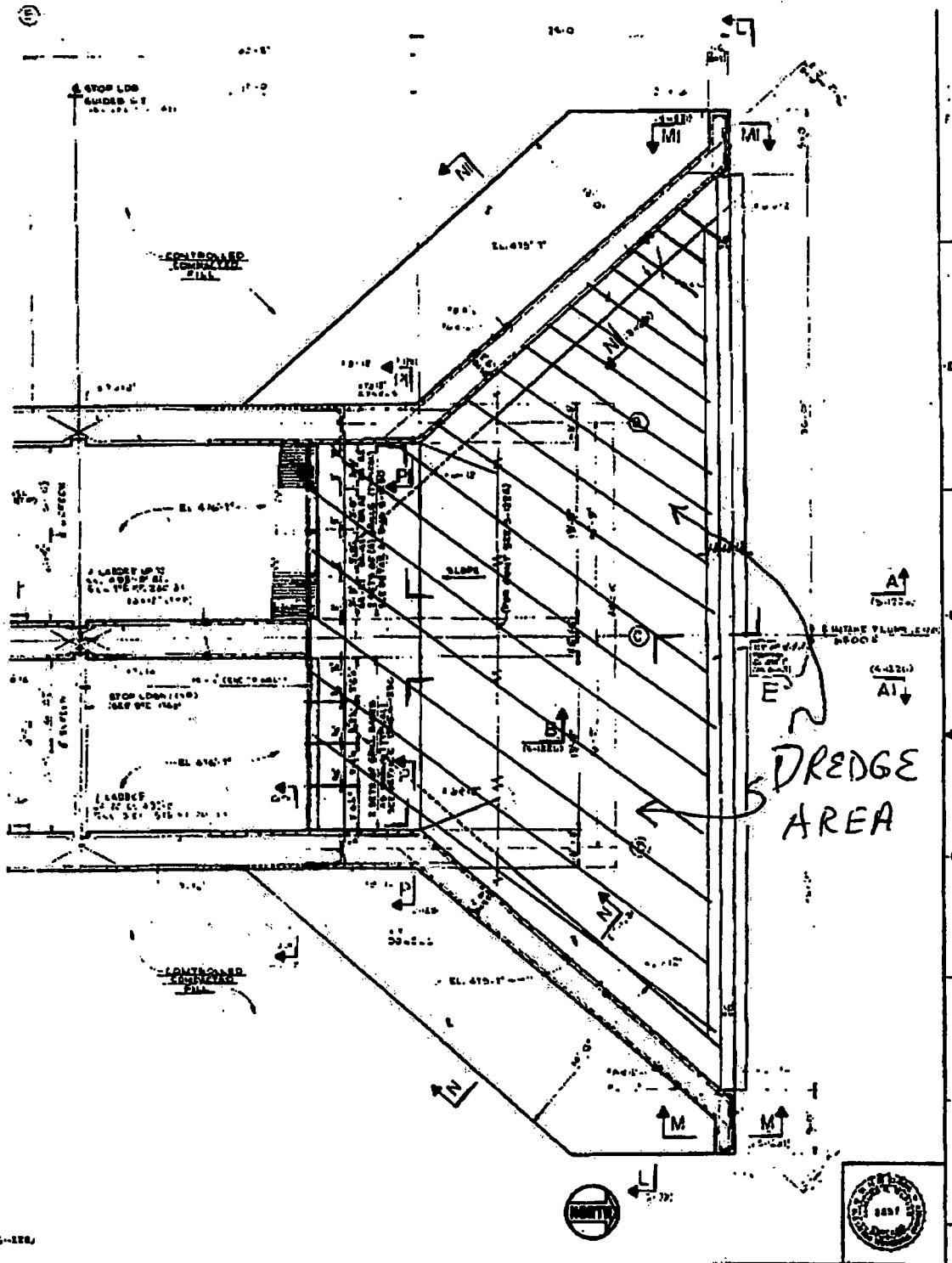
CEMVR-OD-P-2006-185
Sheet 1 of 3
Location Map

PROJECT DESCRIPTION

LaSalle County Station
Maintenance Dredging of River Screen
House Intake Flume
Project Location Sheet
CEMVR-338650
Sheet 1 of 3

LOCATION:

Illinois River, left bank, approx. river mile
740.5



PROJECT DESCRIPTION

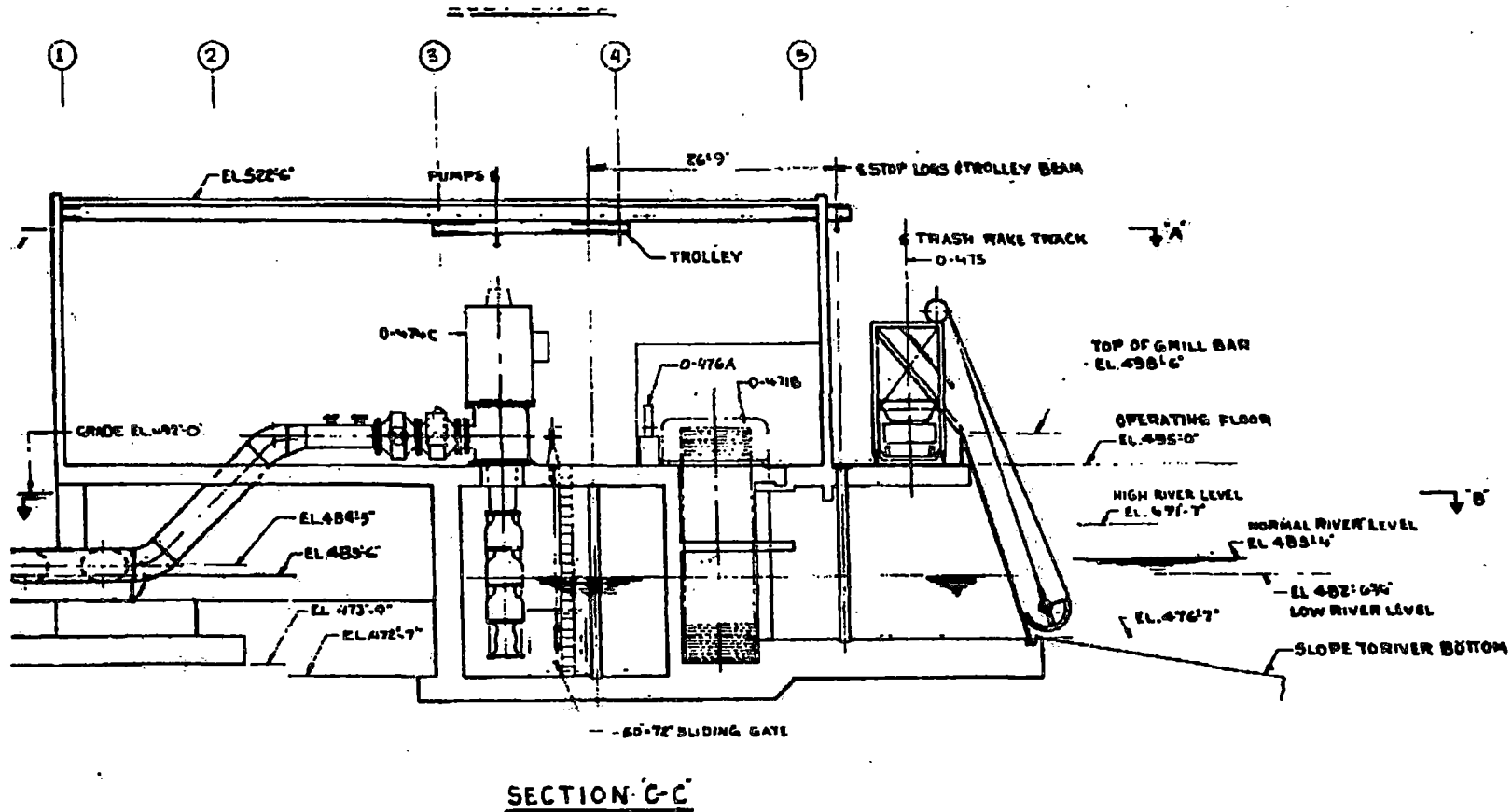
LaSalle County Station
Maintenance Dredging of River Screen
House Intake Flume
Plan View

CEMVR-338650

Sheet 2 of 3

LOCATION:

Illinois River, left bank, approx. river mile
249.5



PROJECT DESCRIPTION
 LaSalle County Station
 Maintenance Dredging of River Screen
 House Intake Flume
 Section View
 CEMVR-338650
 Sheet 3 of 3
LOCATION:
 Illinois River, left bank, approx. river mile
 249.5