Message

From: Mark McGill [mark@sbmu.net]
Sent: 2/10/2020 8:04:50 PM
To: Snellen, Greg [greg.snellen@dnr.mo.gov]
CC: Aston, Robert [Aston.Robert@epa.gov]; Nagel, Chris [Christopher.Nagel@dnr.mo.gov]; Luke St. Mary [lstmary@sbmu.net]
Subject: RE: EPA Request for Information regarding CCR Units
Attachments: ATT00001.txt

Flag: Follow up

Greg,

We're assembling a reply to be submitted this week. We will definitely seek an extension, but we're looking at which extension would be most suitable. Likewise, we're also putting together a response to the data questions.

Thanks!

Mark McGill
Sikeston BMU/Sikeston Power Station
Plant Manager
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P.O. Box 370
Sikeston, MO 63801

573.475.3131
mark@sbmu.net

From: Snellen, Greg <greg.snellen@dnr.mo.gov>
Sent: Monday, February 10, 2020 2:01 PM
To: Luke St. Mary <lstmary@sbmu.net>; Mark McGill <mark@sbmu.net>
Cc: aston.robert@epa.gov; Nagel, Chris <Christopher.Nagel@dnr.mo.gov>
Subject: RE: EPA Request for Information regarding CCR Units

Luke and Mark,

Bob Aston requested I follow up with facilities on their extension request determinations since they requested an answer by the end of the week.

Thank you

Greg Snellen
Environmental Supervisor
Waste Management Program
573-526-8779

We'd like your feedback on the service you received from the Missouri Department of Natural Resources. Please consider taking a few minutes to complete the department's Customer Satisfaction Survey at https://www.surveymonkey.com/r/MoDNRsurvey. Thank you.

From: Snellen, Greg
Sent: Tuesday, January 21, 2020 3:56 PM
To: 'lstmary@sbmu.net' <lstmary@sbmu.net>; 'mark@sbmu.net' <mark@sbmu.net>
Cc: 'Aston, Robert' <Aston.Robert@epa.gov>; Nagel, Chris <Christopher.Nagel@dnr.mo.gov>; Snellen, Greg <greg.snellen@dnr.mo.gov>
Subject: EPA Request for Information regarding CCR Units

Good afternoon Luke and Mark,

The Environmental Protection Agency (EPA) has been working to verify data on facility specific CCR websites required by 40 CFR 257 at the national level. EPA headquarters provided a list of inquiries to the EPA regions and requested they work with the states to answer their questions. States were given a choice as to the amount of involvement they could have with the information gathering. Missouri elected to take the lead on contacting the facilities in the state, providing the information requested by the EPA and relaying the answers back.

For your utility, the EPA has questions about facilities and units which may be seeking an extension under the alternate closure provisions in 2020 and what type of extension may be requested.

They provided the following list of units:

Region	State	Part A Extension	Plant Name	Unit Name	Unit Type	Op Status	Unit Class	NOI Type	NOI Date	Alternative_Closur NOI
7	MO		Sikeston Power Station	Scrubber Sludge/Bottom Ash Pond	Surface Impoundment	Active	Existing			

EPA has requested a response on extensions by February 14, 2020.

Additionally, the EPA has the following question related to groundwater monitoring:

Facility	Location	Owner	Units	Geology	Problematic Use of Intra Well Comparisons	Problematic Alternate Source Determinations	Conclusions
Sikeston Power Station	Sikeston MO	Sikeston Board of Municipal Utilities	Scrubber Sludge/Bottom Ash Pond-unlined	Mississippi River Valley Alluvium based on site location. Reports do not provide a description of the geology, hydrogeology or monitoring wells nor is the upper aquifer described or identified. Minimal monitoring wells	The overall patterns of groundwater concentrations indicate that groundwater has been contaminated by CCR, but intra well statistics failed to identify any SSIs. Minimal reporting hampered review for this facility	An Alternate Source Designation attributes SSI's for calcium, chloride and sulfate to natural variation but chemical concentration data show TDS, sulfate, calcium, chloride and boron to be elevated in	A visual comparison of downgradient concentration data shows obvious downgradient contamination by CCR. Intra well statistical analysis in reports indicates either no SSIs or ASD attributes few SSIs to natural variation.

Facility	Location	Owner	Units	Geology	Problematic Use of Intra Well Comparisons	Problematic Alternate Source Determinations	Conclusions
				system, only 5 wells		downgradient wells compared to upgradient wells and provided clear evidence of CCR contamination	Reporting for Sikeston is minimal with no tabulated concentration data in groundwater monitoring report, no description of geology or hydrogeology and no description of uppermost aquifer. The ASD attributes SSIs to natural variation, Obvious contamination of downgradient wells by CCR

At this time, there is not a deadline for this request.

Please let the Department know if you have any questions. You can also direct inquires to Bob Aston with EPA Region 7 who is copied on this email.

Thank you

Greg Snellen
Environmental Supervisor
Waste Management Program
573-526-8779

We'd like your feedback on the service you received from the Missouri Department of Natural Resources. Please consider taking a few minutes to complete the department's Customer Satisfaction Survey at https://www.surveymonkey.com/r/MoDNRsurvey. Thank you.

From: Aston, Robert
Sent: Friday, January 10, 2020 7:48 AM
To: Nagel, Chris <Christopher.Nagel@dnr.mo.gov>; Snellen, Greg <greg.snellen@dnr.mo.gov>
Cc: Martin, Mike <Martin.Mike@epa.gov>; Kloeckner, Jane <Kloeckner.Jane@epa.gov>; Catlin, Kelley <Catlin.Kelley@epa.gov>; Werner, Leslye <Werner.Leslye@epa.gov>; Hayworth, Brad <Hayworth.Brad@epa.gov>
Subject: CCR workload

Chris and Greg,

As a follow-up to our call on Wednesday

On Monday December 2, 2019 EPA published in the Federal Register a proposed rule for the Disposal of Coal Combustion Residuals From Electric Utilities: A Holistic Approach to Closure Part A: Deadline To Initiate Closure. The major elements of this proposed rule include:

- Definition of Lined Unit (removing a clay-lined unit from the definition),
- New initiation of Closure and Cease Receipt of Waste Deadline of August 31, 2020,
- New Alternate Closure Provisions for surface impoundment: Extensions to the initiation of closure

Nationally, EPA is gathering data to determine the number of facilities and units which may be seeking an extension under the alternate closure provisions in 2020 and is tasking the regions to work with our state partners and the facilities to determine the number of such facilities and units and what type of extension may be requested. Region 7 is seeking the state's assistance in gathering this information.

To be eligible for an extension the surface impoundment needs to be:

- An existing surface impoundment (eligible inactive surface impoundments should already be closing)
- An unlined or "clay-lined" surface impoundment
- Passed all location restrictions or only failed the uppermost aquifer restriction
  - Those that failed multiple location restrictions or did not post should have ceased receipt of waste in April 2019

This proposed rule offers facilities three options with regards to an extension

1.) Three month self-implementing extension (§ 257.103(e)(1)). Under this provision the surface impoundment must cease receipt of waste no later than November 30, 2020, and the facility must document certain conditions and certify "that the CCR and/or non-CCR waste streams must continue to be managed in that CCR surface impoundment to allow the facility to complete the measures necessary to provide alternative disposal capacity, either on-site or off-site of the facility" on its publicly available website no later than August 31, 2020.

2.) Site specific alternative to initiation of closure deadline due to lack of disposal capacity (§ 257.103(f)(1)). This provision allows facilities to submit demonstrations to EPA for approval for a specific amount of time to be able to continue to use their surface impoundment while developing alternate capacity for the CCR and non-CCR waste streams. This extension allows the facility to continue to use a unit (surface impoundment) for a maximum of 5 years, until October 15, 2023. Under this extension, facilities are required to submit their demonstrations to EPA no later than June 30, 2020.

3.) Site specific alternative to initiation of closure deadline due to Permanent Cessation of Coal Fired Boiler(s) by a Date Certain (§ 257.103(f)(2)): If a facility is ceasing generation of coal fired boiler(s) by a date certain, then the facility must complete closure by October 17, 2023 for surface impoundments less than 40 acres and by October 17, 2028 for surface impoundments larger than 40 acres. The facility is required to submit a demonstration to EPA for approval to continue to use their CCR surface impoundments. Under this extension, demonstrations are required to be submitted to EPA for approval no later than May 15, 2020.

As you can see above, the deadlines for requesting extensions are approaching quickly and will become effective when the proposed rule is final. EPA is requesting assistance from the regions, states, and facilities to estimate the number and types of extensions facility owners/operators may be requesting. EPA headquarters has developed a list (attached) of facilities which may be eligible for extensions by EPA Region and State. This list was developed by examining information included on individual facility web sites which are required as part of the CCR regulations. The list of potential sites in Missouri has been attached (attached Excel file) to this email. EPA headquarters has requested that individual regions reach out to their state counterparts to identify facility contacts and reach out to those contacts to determine which facilities and units may be requesting an extension and which type of extension may be requested. EPA headquarters has requested that this information be collected by February 14, 2020.

As part of the effort to determine what type of an extension a facility may need, EPA would also like the state's assistance in obtaining input regarding an estimate of the length of the extension that may be requested by the facility owners/operators. As part of the discussions, we need an estimate regarding the length of the extension. For example, EPA needs to estimate the following:

- Facilities that will not need an extension
- Facilities that will only need till November 2020 (short term extension)
- Longer than November – need about 6 months more
- Longer than November – need about 1 year

- Longer than November – need longer than 18 months

EPA is collecting this data in order to estimate the potential workload which could be associated with reviewing the above mentioned extension requests.

In addition, EPA headquarters routinely reviews the information posted on individual facility web sites. As part of that review EPA headquarters has identified sites in each region where specific facility information which is required to be posted is either missing, incomplete or technical questions exist. As part of this review EPA has developed two lists. See attached. One list deals with compliance issues related to documents which are, or in some cases are not, posted on the specific facility websites. The second list deals with groundwater questions related to Alternate Source Demonstrations and Intrawell analyses. With regards to the list dealing with compliance issues related to documents, EPA headquarters has requested that the regions work with their state counterparts to identify the appropriate facility contact. The plan is that EPA Headquarters would take the lead in coordination with the regions and states to contact the facilities to discuss and remedy the identified issues. With regards to the second list dealing with Alternate Source Demonstrations, EPA headquarters has requested that the regions work with their state counterparts to identify the appropriate facility contacts. The regions and or the states would then take the lead to address any identified issues. No specific timeframe has been established to address the questions related to either of the above lists. Region 7 anticipates working closely with the state in addressing these issues.

It should be noted that EPA headquarters routinely reviews CCR facility websites and could identify additional questions. If that should occur Region 7 would again reach out to the states.

At your convenience I would like to follow-up with you on the above issues sometime next week to discuss Missouri's perspective and any comments you may have. If you have any questions please do not hesitate to call or email me.

Thanks

Bob Aston
USEPA Region 7
(913)551-7392