Message

From: Aston, Robert [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9DE264D322BC4578AFF37B6FC3C80075-ASTON, ROBERT]
Sent: 10/1/2020 6:56:54 PM
To: 'Christopher.Nagel@dnr.mo.gov' [christopher.nagel@dnr.mo.gov]; Snellen, Greg [greg.snellen@dnr.mo.gov]
CC: Werner, Leslye [Werner.Leslye@epa.gov]; John Smith (Smith.John@epa.gov) [Smith.John@epa.gov]; Huggins, Richard [Huggins.Richard@epa.gov]; Behan, Frank [Behan.Frank@epa.gov]; Hillyer, Kirsten [hillyer.kirsten@epa.gov]; Anderson, Lydia [Anderson.Lydia@epa.gov]; Aston, Robert [Aston.Robert@epa.gov]; Catlin, Kelley [Catlin.Kelley@epa.gov]; Hayworth, Brad [Hayworth.Brad@epa.gov]; Kloeckner, Jane [Kloeckner.Jane@epa.gov]; Martin, Mike [Martin.Mike@epa.gov]
Subject: Demonstration request for the New Madrid Power Plant
Attachments: AECI New Madrid Power Plant Alternate to Initiation of Closure Deadline Request

Chris and Greg,

As you may know, on July 29, 2020, the Administrator signed a final rule revision of the CCR regulations. Among other things, the final rule establishes new alternative closure provisions at Sections 257.103(f)(1) and (f)(2) for a facility that cannot cease receipt of waste by April 11, 2021. On August 28, 2020, the final rule was published in the *Federal Register* (85 FR 53516).

On October 1, 2020, EPA received a demonstration from the Associated Electric Cooperative, Inc. for the use of 257.103(f)(1) for the New Madrid Power Plant pond 003. EPA is currently evaluating the demonstration for completeness. Once EPA completes this review, the facility will be notified that their demonstration is either complete or incomplete.

If the demonstration is found to be incomplete, the facility will receive a letter/email describing the deficiencies of the demonstration. They will be allowed to correct the demonstration and submit a new demonstration by November 30, 2020.

If the demonstration is found to be complete, the deadline to cease receipt of waste will be tolled until EPA reaches a final decision on the demonstration. EPA will propose a decision on the demonstration and will provide a 15 to 30-day public comment period. EPA encourages the state to review the demonstration and provide comments during this time. After EPA addresses any significant comments, EPA will issue a final determination.

EPA is maintaining a table of all submitted demonstrations and the current review status of the demonstrations at https://www.epa.gov/coalash/ccr-part-implementation.

If you have any questions or concerns, please contact Kirsten Hillyer, USEPA Office of Resource Conservation & Recovery at (703) 347-0369 or by email at hillyer.kirsten@epa.gov

Sincerely,

Bob Aston

USEPA Region 7

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