



Associated Electric Cooperative, Inc.

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## MEMORANDUM

**DATE:** Aug. 30, 2022

**TO:** United States Environmental Protection Agency  
Richard Huggins, Jr. – Chief  
Energy Recovery and Waste Disposal Branch  
Office of Resource Conservation and Recovery

**C:** United States Environmental Protection Agency  
Kirsten Hillyer, Frank Behan, Laurel Celeste

**FROM:** Associated Electric Cooperative, Inc.  
Kenneth S. Wilmot  
Senior Vice President/Chief Operating Officer

**RE:** Status Update #2 for CCR Rule Part A Demonstration,  
Site Specific Alternate to Initiation of Closure Deadline for Ash Pond 1  
(Cell 001, Cell 003, and Cell 004)  
Thomas Hill Energy Center  
Clifton Hill, Missouri

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Mr. Huggins:

Associated Electric Cooperative, Inc. (AECI) submits this Status Update #2 to provide additional information to the previously submitted: "Report on Site Specific Alternate to Initiation of Closure Deadline for Ash Pond 1 (Cell 001, Cell 003, and Cell 004), Thomas Hill Energy Center, Clifton Hill, Missouri" dated September 2020 (Report) and Addendum dated November 2020 submitted in accordance with 40 C.F.R. § 257 Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals from Electric Utilities; A Holistic Approach to Closure Part A: Deadline to Initiate Closure (CCR Rule Part A).

AECI provided an initial status update (Status Update #1) in a 24 January 2022 response to the United States Environmental Protection Agency (EPA) email request for additional information

(received 10 January 2022). AECI submits the information herein to provide another progress update to the status of AECI's pursuit of alternative capacity for the subject CCR surface impoundments. The information included here follows the items EPA requested that AECI submit in its January 2022 email communication in **bold**, and includes updated responses below:

**A narrative explaining the progress made and current activities and phase/step at Thomas Hill to achieve alternative capacity.**

Additional progress made since January 2022 includes the successful completion of negotiations between AECI and the Missouri Department of Natural Resources (MDNR) for the NPDES Operating Permit Modifications, which is currently awaiting completion of a public comment period. AECI has coordinated with the Construction Contractor who is prepared to start the remaining work activities as soon as feasible following receipt of the final approved NPDES permit for Outfall 001A.

**A discussion of the issues that led to the delay to the requested date to cease receipt of waste.**

The issues that led to the delay to the requested date to cease receipt of waste remain the same as those described in Status Update #1. Due to the delay in receipt of a NPDES permit which is causing the delay in AECI's ability to discharge through the new Outfall 001A, AECI has not been able to direct the non-CCR wastewaters that currently flow into Cell 003 into Cells 002 West and 002 East. Once AECI receives the MDNR permit to allow for the discharge of flows through Outfall 001A, the required construction activities will be implemented to modify the flow path from the West Ditch into Cell 002 West and thereby allow for discharge through Outfall 001A.

**An updated requested date to cease receipt of waste.**

Based on the current remaining activities – discussed in the Status Update #1 and below – and the efforts required to complete them, AECI has determined that it will require until 31 December 2022 to cease receipt of CCR and non-CCR wastestreams in Cells 003 and 004 assuming MDNR delivers on the promised Outfall 001A permit in September 2022.

**An updated narrative justifying the new date to cease receipt of waste.**

The remaining activities and durations required to cease receipt of waste are the same as described in Status Update #1, though AECI continues to look for ways to expedite the process as much as feasible.

NPDES Operating Permit Modifications – AECl and MDNR have completed negotiations for the overall THEC NDPEs Operating Permit Modifications and are now in the public comment period. Once completed, final issuance and signing of the permit are anticipated to be completed in September 2022 according to our most up to date communications with MDNR.

Construction Activities – Cell 002 West Tie-In – AECl has been in frequent communication with the Construction Contractor to support mobilization and commencement of this work as soon as feasible following issuance of the final NPDES Operating Permit. Assuming contributing factors to the timing of these construction activities are not atypical (e.g., weather conditions, supply chain issues, etc.) – which are not controlled by AECl – we anticipate these efforts will take 6 to 8 weeks.

NPDES Construction Permit (Construction Completion Approval) – AECl will submit required information to MDNR for review and approval at completion of construction activities. We anticipate that MDNR will take between 2 to 4 weeks to review and issue this approval.

Startup and Operational Transition – We anticipate that the startup and operational transition efforts will take 2 to 4 weeks to complete (including compliance monitoring and testing and physical process refinements), after which the temporary bypass in the West Ditch will be removed and flows will be conveyed to Cell 002 West, allowing Cells 003 and 004 to cease receipt of CCR and non-CCR wastestreams.

We appreciate EPA’s consideration of this updated information and the associated closure extension request for the subject facility and CCR surface impoundments.

Sincerely,



Kenneth S. Wilmot  
Senior Vice President / Chief Operating Officer  
Associated Electric Cooperative, Inc.