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MEMORANDUM

October 13, 2026
File No. 0216304

SUBJECT: Periodic Structural Stability Assessment – Applicability Determination
Ash Pond 1 – Cell 001
Thomas Hill Energy Center
Clifton Hill, Missouri

Associated Electric Cooperative, Inc. (AECI) owns and operated the existing coal combustion residuals (CCR) surface impoundment referred to as Ash Pond 1 – Cell 001 (Cell 001; the Unit) at the Thomas Hill Energy Center (THEC) located near Clifton Hill, Missouri. Cell 001 was historically used for settling and temporary wet storage of bottom ash and boiler slag sluiced from THEC Units 1 and 2 and is subject to the requirements of the U.S. Environmental Protection Agency's Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities, Title 40 Code of Federal Regulations (CFR) Part 257, Subpart D (CCR Rule), effective October 19, 2015, including subsequent revisions.

In September 2021, the Unit ceased receiving CCR and non-CCR wastestreams from THEC and initiated closure thereafter. CCR material has been removed since the previous periodic assessment, and the area was reconfigured as a secondary (non-CCR) impoundment to support management of low-volume wastewater discharges at the site. Cell 001 remains regulated as a CCR surface impoundment because closure was not complete at the time of this assessment, although it no longer treats, stores, or disposes of CCR material.[1] After reconfiguration, the bottom of the non-CCR impoundment was raised, the impoundment now has a storage volume less than 20 acre-feet, and its height remains generally 10 feet or less. As a result, Cell 001 does not satisfy either applicability threshold specified in 40 CFR §257.73(b).

Therefore, the requirements of 40 CFR §257.73(c) through (e), including the periodic structural stability assessment requirements of 40 CFR §257.73(d), do not apply prospectively to Cell 001 while the Unit remains below both applicability thresholds. This determination does not affect other applicable CCR Rule requirements or applicable recordkeeping, notification, and website-posting obligations.

[1] According to 40 CFR §257.53, "active life or in operation" is defined as the period of operation beginning with the initial placement of CCR in the CCR unit and ending at completion of closure activities in accordance with 40 CFR §257.102.