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MEMORANDUM

October 13, 2026
File No. 0216304

SUBJECT: Periodic Safety Factor Assessment – Applicability Determination
Ash Pond 1 – Cell 004
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 004 (Cell 004; the Unit) at the Thomas Hill Energy Center (THEC) located near Clifton Hill, Missouri. Cell 004 historically provided final settling and polishing for decant water from Cell 003 and managed a limited quantity of CCR material before final discharge through its permitted outfall. The Unit 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 December 2022, the Unit ceased receiving CCR and non-CCR wastestreams from THEC and initiated closure thereafter. Cell 004 remains within its "active life," as defined in 40 CFR §257.53, until closure activities are completed in accordance with 40 CFR §257.102, including certification of closure completion. CCR material has been removed, and the Cell 004 embankment (i.e., dike) has been removed and is no longer used to prevent the movement of liquids, sludges, solids, or other materials. The Unit is no longer a natural topographic depression, man-made excavation, or diked area, and it is no longer used to treat, store, or dispose of CCR material.

Therefore, the requirements of 40 CFR §257.73(c) through (e), including the periodic safety factor assessment requirements of 40 CFR §257.73(e), do not apply prospectively to Cell 004 while the Unit remains below the applicability thresholds. This determination does not affect other applicable CCR Rule requirements or applicable recordkeeping, notification, and website-posting obligations.