

**City Water, Light and Power
Coal Combustion Residuals Surface Impoundments**

**Notification of Intent to Comply with Alternative
Closure Requirements in Accordance with 40 CFR
257.103(a)(1)**

April 2019



City Water, Light and Power (CWLP) owns and operates two existing coal combustion residual (CCR) surface impoundments. These CCR surface impoundments are identified as the Lakeside Ash Pond and the Dallman Ash Pond and are located northeast of the power plant complex in Springfield, Illinois. The ponds are operated under National Pollutant Discharge Elimination System (NPDES) Permit Number IL0024767. All material going to these ponds are wet-generated, not dry.

The Lakeside Ash Pond was placed in service prior to 1958 and ceased receiving ash in 2009. It has been divided into four separate ponds, three limesludge ponds and the settling pond consisting of approximately 35.0 acres. The Lakeside Ash Pond currently receives limesludge from the CWLP Drinking Water Purification Plant, scrubber wastewater treatment plant clarifier blowdown and water from miscellaneous floor drains. The Dallman Ash Pond was placed into service in 1976 and is approximately 34.5 acres. The Dallman Ash Pond currently receives fly ash and bottom ash, which are sluiced with raw lake water, industrial wastewater treatment plant clarifier blowdown and landfill leachate. Settled water from both the Lakeside Ash Pond and Dallman Ash Pond flow into opposite sides of a Clarification Pond for final polishing before being discharged to Sugar Creek at Outfall 004.

CWLP became subject to 257.101(a) and (b)(1) retrofit or closure requirements in October 2018. CWLP qualifies for the Alternative Closure Requirements 257.103(a) since no alternative disposal capacity is currently available. As mentioned, all the materials currently being sent to the Lakeside Ash Pond and Dallman Ash Pond are wet-generated, not dry. As written in the Federal Register / Vol. 80, No. 74 / Friday, April 17, 2015 / Rules and Regulations page 21423;

1. No alternative CCR disposal capacity (§ 257.103(a)). The Agency recognizes that the circumstance may arise where a facility's only disposal capacity, both on-site and off-site, is in a CCR unit that has triggered the closure requirements in § 257.101(a), (b)(1), or (d). As a result, the facility may be faced with either violating the closure requirements in § 257.101 by continuing to place CCR in a unit that is required to close, or having to cease generating power at that facility because there is no place in which to dispose of the resulting waste. For example, while it is possible to transport dry ash off-site to alternate disposal facility that simply is not feasible for wet-generated CCR. Nor can facilities immediately convert to dry handling systems. As noted previously, the law cannot compel actions that are physically impossible, and it is incumbent on EPA to develop a regulation that does not in essence establish such a standard. Should a facility choose to comply with the regulation and stop generating power, there would be significant risks to human health that would arise if a community would be left without power for an extended period of time. As information in the record demonstrates, obtaining alternative capacity can sometimes require a substantial amount of time (*e.g.*, if the facility needs to construct alternative capacity, including potentially the need to locate an alternative site or purchase additional property).

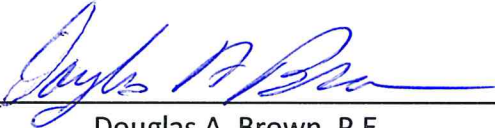
Prior to becoming subject to the retrofit or closure requirements of 257.101 (a) and (b)(1), CWLP commissioned Burns & McDonnell in 2012 and again in 2016 to perform an environmental compliance study with the following goals:

1. Identify current and future environmental regulations that impact the Dallman units
2. Evaluate control options for compliance and the associated costs of compliance
3. Analyze the financial impacts on CWLP of the various compliance options
4. Recommendation of compliance options and unit operations

The 2016 commissioned environmental compliance study was completed in April 2018. Due to on-going litigation and a reconsideration of the Effluent Limitations Guidelines (ELG) rule it has been difficult to finalize a compliance option for the Lakeside and Dallman Ash Ponds (either retrofit and/or close).

Additionally, CWLP is currently performing an economic evaluation in the form of an Integrated Resource Plan, of each Dallman coal-fired unit (31, 32, 33 and 4), considering the information in the environmental compliance study and energy markets as they exist, this evaluation will be complete by May 2019. Once the economic evaluation is complete, CWLP will be in a better position to determine if Dallman units 31, 32, 33 and 4 are cost-effective to continue to operate. After this evaluation is complete CWLP will decide on a compliance plan for the impoundments, either retrofitting and/or closing the Lakeside Ash Pond and Dallman Ash Pond.

CWLP is in compliance with all other requirements of the CCR rule. Finally, CWLP will submit a progress report concerning the Lakeside and Dallman Ash Ponds in accordance with 257.103 (c)(2)(i) no later than May 2020.

Certified in accordance with 257.103(a)(1) by: 
Douglas A. Brown, P.E.
Chief Utility Engineer

Date: 4/4/19