

February 21, 2023

The Empire District Electric Company
A Liberty Utilities Company
602 South Joplin Street
PO Box 127
Joplin, MO 64802-0127

Re: **Notification of Closure of CCR Surface Impoundment**
EPA CCR Rule Section 40 CFR 257.102 (f)
Empire District Electric Company – Asbury Power Plant
Asbury, Missouri

2009 E. McCarty St.
Suite 2

Jefferson City, MO 65101

voice: 573.636.9454

fax: 573.761.4200

1350 E. Kingsley St.

Suite E

Springfield, MO 65804

voice: 417.886.9200

fax: 417.886.9876

www.mecpc.com

To Whom it May Concern:

The Empire District Electric Company, Asbury Power Plant has one Coal Combustion Residuals (CCR) Impoundment. The site occupies the north half of Section 17, Township 30 North, and Range 33 West on the Asbury 7.5-Minute Quadrangle Map. The following provides Notification of Closure of the CCR Impoundment located at Asbury Power Plant. This letter serves as certification that the facility is in compliance with 40 CFR 257.102(f)(3) of the EPA CCR Rule.

40 CFR 257.102(f)(3)

Upon completion, the owner or operator of the CCR unit must obtain a certification from a qualified professional engineer or approval from the Participating State Director or approval from EPA where EPA is the permitting authority verifying that closure has been completed in accordance with the closure plan specified in paragraph (b) of this section and the requirements of this section.

We have reviewed the information contained in the Construction Quality Assurance (CQA) Report completed by Palmerton & Parrish, Inc. dated February 2, 2023 and other records to determine that the closure construction meets or exceeds that requirements of 40 CFR 257.102(d).

Empire provided a Notification of Intent to Close the CCR Impoundment on April 11, 2021. Acceptance of Substantial Completion for the Asbury Coal Combustion Residuals Impoundment Closure Construction was issued January 23, 2023.

This certification has been prepared by a qualified professional engineer and placed in the facility's operating record as required by 40 CFR 257.102(h).

40 CFR 257.102(h)

Within 30 days of completion of closure of the CCR unit, the owner or operator must prepare a notification of closure of a CCR unit. The notification must include the certification by a qualified professional engineer or the approval from the Participating State Director or the approval from EPA where EPA is the permitting authority as required

by § 257.102(f)(3). The owner or operator has completed the notification when it has been placed in the facility's operating record as required by § 257.105(i)(8).

CERTIFICATION 257.102 (h)

The undersigned Professional Engineer (P.E.) is familiar with the requirements of 40 CFR Part 257. The above serves as Notification of Closure the CCR Impoundment for the Empire District Electric Company, Asbury Power Plant. I hereby certify that the facility is in compliance with 40 CFR 257.102h) and all information has been placed in the Operating Record. The owner or operator has completed the notification when it has been placed in the facility's operating record as required by § 257.105(i)(7).

Signature:



Name: Lindsey R. Henry, PE

Date: February 21, 2023

Registration Number: E-21592

State: Missouri

Seal

