

October 24, 2024

Riverton Power Station
The Empire District Electric Company
7240 S. E. Highway 66
Riverton, KS 66770

RE: **Final Rule - Legacy CCR Surface Impoundments and CCR Management Units**
The Empire District Electric Company – Riverton Power Station
Riverton, Kansas

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To Whom It May Concern:

This document is prepared to determine the regulatory obligations for the Riverton Power Station under the **Final Rule - Legacy CCR Surface Impoundments and CCR Management Units** as published in the Federal Register on May 8, 2024. The Riverton Power Station ceased burning coal on September 18, 2012. On August 23, 2013 closure construction activities for the Riverton Industrial Landfill, Kansas Department of Health & Environment (KDHE) Permit 784 began. Construction was completed May 22, 2014. KDHE approved closure on June 30, 2014 and entered into Post-Closure Care. On July 31, 2018 the demolition of the remaining coal-fired boilers of the Riverton Power Station was completed and the site improvements were completed to reclaim the area. CCR is no longer produced at this site.

After review of these regulations it is determined that the landfill located at the Riverton Power Station should be considered a CCR Management Unit (CCRMU). Below is a summary of the Final Compliance Time Frames for CCRMU.

FINAL COMPLIANCE TIME FRAMES FOR CCRMU

40 CFR Part 257 Subpart D Requirement	Description of requirement to be completed	Due Date
Internet Posting (§ 257.107)	Establish CCR website	Monday, February 9, 2026
Facility Evaluation Report (§ 257.75)	Complete the Facility Evaluation Report Part 1	Monday, February 9, 2026
Facility Evaluation Report (§ 257.75)	Complete the Facility Evaluation Report Part 2	Monday, February, 8, 2027.
GWMCA (§ 257.91)	Install the groundwater monitoring system	Monday, May 8, 2028
GWMCA (§ 257.93)	Develop the groundwater sampling and analysis program	Monday, May 8, 2028

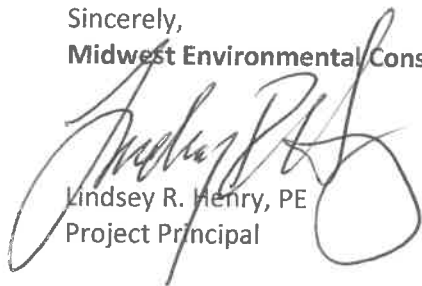
40 CFR Part 257 Subpart D Requirement	Description of requirement to be completed	Due Date
GWMCA (§§ 257.90–257.95)	Initiate the detection monitoring and assessment monitoring. Begin evaluating the groundwater monitoring data for SSIs over background levels and SSLs over GWPS.	Monday, May 8, 2028
GWMCA (§ 257.90(e))	Complete the initial annual GWMCA report	Monday, January 31, 2029
Closure (§ 257.102)	Prepare written closure plan	Wednesday, November 8, 2028
Post-Closure Care (§ 257.104)	Prepare written post-closure care plan	Wednesday, November 8, 2028
Closure and Post-Closure Care (§ 257.101)	Initiate closure	Tuesday, May 8, 2029

Although it is not believed that the Riverton Power Station facility is considered a Legacy CCR Surface Impoundment the following additional steps will be taken by November 8, 2024 to ensure compliance with the Final Rule - Legacy CCR Surface Impoundments and CCR Management Units.

- Complete Applicability Report (placed in operating record);
- Establish CCR website;
- Implement site security measures;
- Prepare Fugitive Dust Plan (placed in operating record);
- Initiate weekly inspections of the CCR unit; and
- Install permanent marker.

In accordance with § 257.106 and § 257.104 the State Director should be notified regarding the creation of the CCR Website for the Riverton Power Station.

Sincerely,
Midwest Environmental Consultants



Lindsey R. Henry, PE
Project Principal



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10/24/2024