

Updated April 9, 2026

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. On February 9, 2026 the USEPA published **Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals From Electric Utilities; CCR Management Unit Deadline Extension Rule**. This rule establishes new compliance timeframes for CCRMUs.

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. Closure construction activities were completed May 22, 2014. KDHE approved closure on June 30, 2014 and the site 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 Timeframes for CCRMU. The table below has been updated to reflect the latest compliance timeframes.

Although Riverton Power Station is not believed to meet the definition of a Legacy CCR Surface Impoundment, the following actions will be implemented out of an abundance of caution to ensure full compliance with the Final Rule - Legacy CCR Surface Impoundments and CCR Management Units.

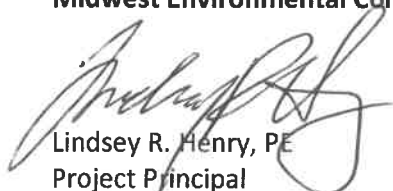
- Complete Applicability Report (placed in operating record);
- Establish CCR website;
- Implement site security measures;
- Prepare Fugitive Dust Plan (placed in operating record);
- Initiate weekly inspections of the CCR unit; and
- Install permanent marker.

FINAL COMPLIANCE TIMEFRAMES FOR CCRMU

40 CFR Part 257 Subpart D Requirement	Description of requirement to be completed	Original Due Date	New Due Date
Internet Posting (§ 257.107)	Establish CCR website	February 9, 2026	February 9, 2027
Facility Evaluation Report (§ 257.75)	Complete the Facility Evaluation Report Part 1	February 9, 2026	February 9, 2027
Facility Evaluation Report (§ 257.75)	Complete the Facility Evaluation Report Part 2	February 8, 2027	February 9, 2028
GWMCA (§ 257.93)	Develop the groundwater sampling and analysis program	May 8, 2028	February 10, 2031
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.	May 8, 2028	February 10, 2031
GWMCA (§ 257.90(e))	Complete the initial annual GWMCA report	January 31, 2029	January 31, 2032
Closure (§ 257.102)	Prepare written closure plan	November 8, 2028	August 11, 2031
Post-Closure Care (§ 257.104)	Prepare written post-closure care plan	November 8, 2028	August 11, 2031
Closure and Post- Closure Care (§ 257.101)	Initiate closure	May 8, 2029	February 9, 2032

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


 4/9/2026