OHIO VALLEY ELECTRIC CORPORATION
3932 U. S. Route 23
P. O. Box 468
Piketon, Ohio 45661
740-289-7200

WRITER'S DIRECT DIAL NO:
740-289-7259

February 26, 2025

Submitted Electronically

Ms. Anne Vogel, Director
Ohio Environmental Protection Agency
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

Dear Ms. Vogel:

Re: Ohio Valley Electric Corporation
Updated Closure and Post-Closure Plans
Kyger Creek Station South Fly Ash Pond

As required by 40 CFR 257.102(b) and requirements of 257.104(d), the Ohio Valley Electric Corporation (OVEC) is providing notification to the State Director of the Ohio Environmental Protection Agency that an updated closure and post-closure plan for the Kyger Creek Station South Fly Ash Pond has been placed on the facility's operating record and on the company's publicly accessible internet site, which can be viewed at http://www.ovec.com/CCRCompliance.php.

If you have any questions, or require any additional information, please call me at (740) 289-7259.

Sincerely,

Jeremy Galloway
Environmental Specialist

JDG:zsh

Stantec Consulting Services Inc.
10200 Alliance Road Suite 300, Cincinnati OH 45242-4754

June 10, 2024
Revision 1

Ohio Valley Electric Corporation
3932 U.S. Route 23
P.O. Box 468
Piketon, Ohio 45661

RE: Closure and Post-Closure Plan
South Fly Ash Pond (CCR Unit)
EPA Final Coal Combustion Residuals (CCR) Rule
Kyger Creek Station
Cheshire, Gallia County, Ohio

1.0 PURPOSE

As described in 40 CFR §257.102 and §257.104, an owner or operator of a CCR unit is required to demonstrate that certain measures will be adopted to close and maintain the facility. This letter documents Stantec's certification of the Closure and Post-Closure Plan for Ohio Valley Electric Corporation (OVEC) Kyger Creek Station's South Fly Ash Pond complies with requirements in the EPA Final CCR Rule 40 CFR §257.102(b) and §257.104(d).

2.0 SUMMARY OF FINDINGS

The attached plan documents the closure and post-closure measures that meet the requirements specified in 40 CFR §257.102(b) and §257.104(d).

3.0 QUALIFIED PROFESSIONAL ENGINEER CERTIFICATION

I, Jacqueline S. Harmon, being a Professional Engineer in good standing in the State of Ohio, do hereby certify, to the best of my knowledge, information, and belief:

1. that the information contained in this certification is prepared in accordance with the accepted practice of engineering;

2. that the information contained herein is accurate as of the date of the attached plan and the date of my signature below;

3. that the Closure and Post-Closure plan for the OVEC Kyger Creek Station's CCR Unit meets the requirements described in 40 CFR §257.102(b) and §257.104(d).

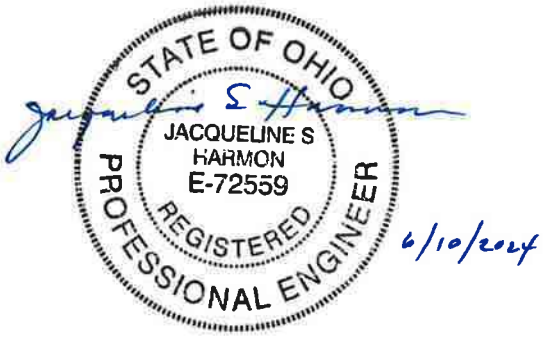
RE: Closure and Post-Closure Plan
South Fly Ash Pond (CCR Unit)
EPA Final Coal Combustion Residuals (CCR) Rule
Kyger Creek Station
Cheshire, Gallia County, Ohio

SIGNATURE Jacqueline S. Harmon DATE 6/10/2024

ADDRESS: Stantec Consulting Services Inc.
10200 Alliance Road, Suite 300
Cincinnati, OH 45242

TELEPHONE: (513) 842-8200

ATTACHMENT: Closure and Post-Closure Plan



CLOSURE AND POST-CLOSURE PLAN

South Fly Ash Pond

Kyger Creek Station
Cheshire, Gallia County, Ohio

June 10, 2024

Revision 1

Prepared for:

Ohio Valley Electric Corporation
Piketon, Ohio

Prepared by:

Stantec Consulting Services Inc.
Cincinnati, Ohio

Revision Date	Description of Revision
October 11, 2016	Revision 0 – Initial Submittal
June 10, 2024	Revision 1 – Revised Closure Activities
Revisions will be logged according to qualified professional engineer certification.	

Table of Contents

1 Introduction

This EPA Final Coal Combustion Residuals (CCR) Rule closure and post-closure plan contains the current plan and is subject to change. This document describes the CCR closure and post-closure activities at the Ohio Valley Electric Corporation (OVEC's) Kyger Creek Station to ensure that the South Fly Ash Pond (SFAP) will be closed and maintained in accordance with the CCR closure and post-closure requirements of 40 CFR §257.102 and §257.104, respectively. This unit exists within an area where CCR has been historically managed and stored and is monitored by a certified groundwater monitoring well system. It will be closed in accordance with this closure and post-closure plan.

2 Written Closure Plan – 40 CFR 257.102(b)(1)

40 CFR 257.102(b). *Written Closure Plan – (1) Content of the Plan. The owner or operator of a CCR unit must prepare a written closure plan that describes the steps necessary to close the CCR unit at any point during the active life of the CCR unit consistent with recognized and generally accepted good engineering practices. The written closure plan must include, at a minimum, the information specified in paragraphs (b)(1)(i) through (vi) of this section.*

(i) A narrative description of how the CCR unit will be closed in accordance with this section.

(ii) If closure of the CCR unit will be accomplished through the removal of CCR from the CCR unit, a description of the procedures to remove the CCR and decontaminate the CCR unit in accordance with paragraph (c) of this section.

(iii) If closure of the CCR unit will be accomplished by leaving CCR in place, a description of the final cover system, designed in accordance with paragraph (d) of this section, and the methods and procedures to be used to install the final cover. The closure plan must also discuss how the final cover system will achieve the performance standards specified in paragraph (d) of this section.

(iv) An estimate of the maximum inventory of CCR ever on-site over the active life of the CCR unit.

(v) An estimate of the largest area of the CCR unit ever requiring a final cover as required by paragraph (d) of this section at any time during the CCR unit's active life.

(vi) A schedule for completing all activities necessary to satisfy the closure criteria in this section, including an estimate of the year in which all closure activities for the CCR unit will be completed. The schedule should provide sufficient information to describe the sequential steps that will be taken to close the CCR unit, including identification of major milestones such as coordinating and obtaining necessary approvals and permits from other agencies, the dewatering and stabilization phase of CCR surface impoundment closure, or installation of the final cover system, and the estimated timeframes to complete each step or phase of CCR unit closure.

2.1 Closure Activities - §257.102(b)(1)(i)

The SFAP has served as a CCR storage facility since the Kyger Creek Station began operating in 1955. Originally it was constructed to store boiler slag but currently stores fly ash. The drainage area for the SFAP is approximately 68 acres. Historically the station's coal yard drainage and a portion of the storm drainage were pumped to the SFAP, combining for an additional 38 acres of drainage area. The SFAP will be closed in place in accordance with the requirements found in the EPA CCR Rule. The closure construction will be completed in accordance with the Construction Quality Management Plan.

To prepare for closure of the SFAP, significant permitting and construction steps have been taken:

- Wastewater sources previously associated with outfall 005 have been redirected to outfall 001. Outfall 005 is approved for flows from the SFAP under the current NPDES permit (Ohio EPA permit number 0IB00005*TD).
- Notification of Intent to Close the SFAP was provided to the Ohio Environmental Protection Agency (Ohio EPA) on October 13, 2023 under the requirements of 40 CFR §257.102(g). The notification was posted to the Kyger Creek Station Operating Record and added to the publicly accessible internet site.
- Wastewater flows into the SFAP ceased no later than October 15, 2023 under the requirements of 40 CFR §257.103(f)(1)(vi)(A).
- Passive dewatering has commenced as part of closure activities.
- Detailed design of the SFAP closure is ongoing.

The intent is to close the SFAP by removing vegetation and grading of the CCR material to promote drainage and create a stabilized surface that can support and maintain the integrity of a lined protective cap system to standards in accordance with the requirements found in the EPA CCR Rule.

Closure will consist of dewatering the unit through an NPDES-permitted outfall. The stored CCR will be stabilized in place and graded in preparation of receiving a final cap system. Once grading is complete, in-place closure will be performed. The final cap system area is approximately 68 acres in size. The capped surface will be graded to promote surface water runoff and then seeded and mulched to promote growth of the vegetative cover.

2.2 Closure Type - Closure In-Place – §257.102(b)(1)(iii)

Regrading for the purpose of recontouring and creating positive drainage in support of the final cover system will occur. The closure will be accomplished by leaving the CCR in place, thus requiring a final cover system and closure design elements enabling the closed unit to meet the CCR closure in-place performance standards outlined in 40 CFR 257.102(d) and described in Section 3.0.

2.3 Maximum CCR Inventory - §257.102(b)(1)(iv)

Based on available SFAP records, estimated maximum amount of CCR to ever be on-site is approximately 2,500 acre-feet or 4,033,300 cubic yards.

2.4 Largest Area Requiring Final Cover - §257.102(b)(1)(v)

Based on available records, the largest area of the CCR unit ever requiring a final cover is approximately 69 acres.

2.5 Schedule of Closure Activities - §257.102(b)(1)(vi)

The following sequential steps necessary for completing the closure activities of 40 CFR 257.102 and their estimated scheduled completion dates are provided as follows in Table 1.

Table 1. Estimated Schedule of Closure Activities

	Closure Activity	Start Date (day)
	Outfall permit modifications	Complete
	Provide notice of intent to close	October 13, 2023
	Wastewater flows into the SFAP ceased.	October 15, 2023
1.	Dewatering of surface impoundment	Ongoing
2.	Detailed design of surface impoundment closure	Ongoing
3.	Submit Permit-to-Install/Plan Approval Application to Ohio EPA	Fall 2024
4.	Stabilization and regrading of surface impoundment	Begins Spring 2025
5.	Completion of lined cover system and closure	October 15, 2028
6.	Completion of post-closure care period	Add 30 years to completion of closure

2.6 Estimated Year of Closure Completion - §257.102(b)(1)(vi)

The estimated year for completion of closure activities is 2028.

2.7 Request for Time Extension

If it is estimated that the time required to complete closure will exceed the regulatory timeframes allowed under 40 CFR § 257.102(f), site-specific information, factors, and considerations will be provided to support any time extensions requested.

2.8 Amendment of Closure Plan - §257.102(b)(3)

The owner or operator may amend the closure plan at any time and must do so at least 60 days prior to any planned change in the operation of the CCR unit that would substantially affect the written closure plan in effect. The closure plan must also be amended no later than 60 days after unanticipated events

necessitate a revision of the written closure plan (30 days after if the triggering event takes place after closure activities have commenced). The amended closure plan requires a new certification from a qualified professional engineer that it meets the requirements of 40 CFR 257.102.

3.0 CCR Closure In-Place Performance Standards – 40 CFR 257.102(d)

CCR Closure In-Place Performance Standards – 40 CFR 257.102(d). *Closure performance standard when leaving CCR in place —*

(1) The owner or operator of a CCR unit must ensure that, at a minimum, the CCR unit is closed in a manner that will:

(i) Control, minimize or eliminate, to the maximum extent feasible, post-closure infiltration of liquids into the waste and releases of CCR, leachate, or contaminated run-off to the ground or surface waters or to the atmosphere;

(ii) Preclude the probability of future impoundment of water, sediment, or slurry;

(iii) Include measures that provide for major slope stability to prevent the sloughing or movement of the final cover system during the closure and post-closure care period;

(iv) Minimize the need for further maintenance of the CCR unit; and

(v) Be completed in the shortest amount of time consistent with recognized and generally accepted good engineering practices.

3.1 Control of Infiltration and Releases - §257.102(d)(1)(i)

OVEC will control, minimize, or eliminate, to the maximum extent possible, post-closure infiltration of liquids into the waste and releases of CCR, leachate, or contaminated run-off to the ground or surface waters or to the atmosphere through the design of a site grading plan, removal of CCR material, construction of an engineered cap system, and the establishment of a stormwater management system in accordance with accepted engineering practices and the CCR regulations.

The 68-acre cap system will be designed to control infiltration of precipitation into the closed unit according to acceptable permeability compliance limits. The cap system will also act to cover, control, and prevent the release of CCR material from the closed unit into surface waters and the atmosphere. The grading plan and stormwater management system will be designed to promote positive drainage and control infiltration into the CCR materials. The cap cover will be designed to prevent the exposure of CCR material to the atmosphere.

Perimeter stormwater ditches will be graded at 1 to 2 percent to promote drainage to the permitted stormwater outfall to Kyger Creek. All drainage structures will be designed to accommodate at least a 25-year, 24-hour storm event.

Where pipes penetrate the geosynthetic cover system, the geosynthetics will be battened to concrete collars around the pipes to prevent "contact" water from entering the perimeter ditches and outfalls.

3.2 Prevention of Future Impoundment of Water, Sediment, or Slurry - §257.102(d)(1)(ii)

OVEC will control the future impoundment of water or sediment at the closed CCR unit through the design and construction of a site grading plan, engineered cap system, and the establishment of a stormwater management system in accordance with accepted engineering practices. The designed grading plan and stormwater management system will promote positive surface drainage on the site to minimize the ponding of water within the closed unit.

3.3 Slope Stability Measures - §257.102(d)(1)(iii)

OVEC will evaluate the static and seismic slope stability of the final cover system to assess the potential for sliding in the final grade or closure cap system and determine the minimum required interface strength for use in performance-based specifications. Removal surfaces and slopes will be compacted, and density tested to ensure stability of all areas after removal of material. Preconstruction testing of the cover materials will be conducted to verify that all materials meet the minimum interface strength requirements established by stability analyses. Maintenance of the cover system during the construction and post-construction periods will further aid in the prevention of erosion and sloughing. Stabilizing soil, sand, and stone material will be used to reinforce slopes at risk that may develop during closure in place or post-closure care due to historical record-breaking rainfall events.

3.4 CCR Unit Maintenance - §257.102(d)(1)(iv)

OVEC will mitigate against the need for further maintenance of the CCR unit through compliance with post-closure care activities. Regularly scheduled inspections to evaluate post-closure conditions and to verify preventive maintenance activities of the unit will reduce the need for additional maintenance. Post-closure monitoring and maintenance activities are addressed in Section 4.1.

3.5 Completion of Closure - §257.102(d)(1)(v)

Closure will be completed in a manner consistent with recognized and generally accepted good engineering practices and in compliance with timeframes specified within the EPA CCR Rule.

3.6 Drainage and Stabilization of Surface Impoundments - §257.102(d)(2)

40 CFR 257.102(d)(2). *Drainage and stabilization of CCR surface impoundments.*

The owner or operator of a CCR surface impoundment or any lateral expansion of a CCR surface impoundment must meet the requirements of paragraphs (d)(2)(i) and (ii) of this section prior to installing the final cover system required under paragraph (d)(3) of this section.

CCR Closure In-Place Performance Standards – 40 CFR 257.102(d)

(i) Free liquids must be eliminated by removing liquid wastes or solidifying the remaining wastes and waste residues.

(ii) Remaining wastes must be stabilized sufficient to support the final cover system.

Free liquids will be eliminated by removing liquid wastes or solidifying the remaining wastes and waste residues, and the remaining waste will be stabilized sufficient to support the final cover system. The operational drawdown and dewatering of the SFAP will be in accordance with the facility's Ohio NPDES permit. Following drawdown, the CCR material will be stabilized to allow for equipment access to perform grading and to support the final cover system.

3.7 Final Cover System Design - §257.102(d)(3)

40 CFR 257.102(d)(3). *Final cover system. If a CCR unit is closed by leaving CCR in place, the owner or operator must install a final cover system that is designed to minimize infiltration and erosion, and at a minimum, meets the requirements of paragraph (d)(3)(i) of this section, or the requirements of the alternative final cover system specified in paragraph (d)(3)(ii) of this section.*

(i) The final cover system must be designed and constructed to meet the criteria in paragraphs (d)(3)(i)(A) through (D) of this section. The design of the final cover system must be included in the written closure plan required by paragraph (b) of this section.

(A) The permeability of the final cover system must be less than or equal to the permeability of any bottom liner system or natural subsoils present, or a permeability no greater than 1×10^{-5} cm/sec, whichever is less.

(B) The infiltration of liquids through the closed CCR unit must be minimized by the use of an infiltration layer that contains a minimum of 18 inches of earthen material.

(C) The erosion of the final cover system must be minimized by the use of an erosion layer that contains a minimum of six inches of earthen material that is capable of sustaining native plant growth.

(D) The disruption of the integrity of the final cover system must be minimized through a design that accommodates settling and subsidence.

(ii) The owner or operator may select an alternative final cover system design, provided the alternative final cover system is designed and constructed to meet the criteria in paragraphs (d)(3)(ii)(A) through (D) of this section. The design of the final cover system must be included in the written closure plan required by paragraph (b) of this section.

(A) The design of the final cover system must include an infiltration layer that provides an equivalent reduction in infiltration as the infiltration layer specified in paragraphs (d)(3)(i)(A) and (B) of this section.

(B) The design of the final cover system must include an erosion layer that provides equivalent protection from wind or water erosion as the erosion layer specified in paragraph (d)(3)(i)(C) of this section.

(C) The disruption of the integrity of the final cover system must be minimized through a design that accommodates settling and subsidence.

3.7.1 FINAL COVER SYSTEM DESIGN STANDARDS - §257.102(d)(3)(i)

The final cover system must be designed to minimize infiltration and erosion, consisting of the following minimum elements:

- Cap cover soil: A minimum 18-inch infiltration layer of earthen materials with permeability less than or equal to the permeability of any natural subsoils present, or a permeability no greater than $1x10^{-5}$ cm/sec, whichever is less;
- Topsoil: A minimum 6-inch erosion layer that contains earthen material that is capable of sustaining native plant growth; and
- Disruption of the integrity of the final cover system will be minimized through a design that accommodates settling or subsidence.

The final closure system for the closure of the CCR unit will consist of the following layers (from bottom to top):

- 40-mil LLDPE flexible membrane liner (FML),
- Geocomposite drainage layer,
- 18-inches of cover material, and
- 6-inches of vegetative cover capable of growing and sustaining native vegetative growth.

The FML will have a permeability that is less than or equal to the permeability of the natural subsoils, and is no greater than $1x10^{-5}$ cm/sec. The capped surface will be graded to promote surface water runoff and then seeded and mulched to promote growth of the vegetative cover.

Piezometers will be installed to monitor water levels for the closed footprint. Additional measures may be necessary to support subgrade conditioning and construction of the proposed liner and final cover systems. All pumped water will be discharged through the existing NPDES outfall.

Stormwater drainage improvements will be implemented during the final closure activities with minor grading of existing channels and construction of new channels to improve drainage of the closed pond. The final cover slope will be a minimum of two percent (2%) and will convey surface water to an NPDES-permitted outfall. Permanent stormwater ditch slopes may vary and will be sized to adequately convey anticipated design storm events.

3.7.2 METHODS AND PROCEDURES FOR INSTALLATION OF FINAL COVER - §257.102(b)(1)(iii)

40 CFR 257.102(b)(1)(iii) requires a description of the methods and procedures used in the installation of the final cover. Sections 2.1 and 3.7.1 describe the details regarding the construction procedures for cover installation.

The final cover system will be installed once CCR and soil is graded to the subgrade lines indicated on the construction plans. The materials will be compacted in a manner to minimize settling and subsidence that could disrupt the integrity of the final cover system. Settlement monitoring will be completed to support these activities. As subgrade is reached, the final cover system installation will progress while minimizing areas of CCR exposure. Cover system installation will be performed working from upstream to downstream to minimize the potential of "contact" water on the cover materials.

The geomembrane layer will be placed above the compacted CCR subgrade layer. The geosynthetic materials will be installed and tested as required by the manufacturer.

3.7.3 PROFESSIONAL ENGINEER CERTIFICATION - §257.102(d)(3)(iii)

40 CFR 257.102(d)(3)(iii). *The owner or operator of the CCR unit must obtain a written certification from a qualified professional engineer that the design of the final cover system meets the requirements of this section.*

OVEC will obtain a written certification from a qualified professional engineer verifying that the design of the final cover system meets the requirements of 40 CFR 257.102.

4.0 Written Post-Closure Plan – 40 CFR 257.104(d)(1)

40 CFR 257.104(d). *Written Post-Closure Plan – (1) Content of the Plan. The owner or operator of a CCR unit must prepare a written post-closure plan that includes, at a minimum, the information specified in paragraphs (d)(1)(i) through (iii) of this section.*

(i) A description of the monitoring and maintenance activities required in paragraph (b) of this section for the CCR unit, and the frequency at which these activities will be performed;

(ii) The name, address, telephone number, and email address of the person or office to contact about the facility during the post-closure care period; and

(iii) A description of the planned uses of the property during the post-closure period. Post-closure use of the property shall not disturb the integrity of the final cover, liner(s), or any other component of the containment system, or the function of the monitoring systems unless necessary to comply with the requirements in this subpart. Any other disturbance is allowed if the owner or operator of the CCR unit demonstrates that disturbance of the final cover, liner, or other component of the containment system, including any removal of CCR, will not increase the potential threat to human health or the environment. The demonstration must be certified by a qualified professional engineer, and notification shall be provided to the State Director that the demonstration has been placed in the operating record and on the owner's or operator's publicly accessible internet site.

4.1 Monitoring and Maintenance Activities- §257.104(d)(1)(i)

40 CFR 257.104(b). *Post-closure care maintenance requirements. Following closure of the CCR unit, the owner or operator must conduct post-closure care for the CCR unit, which must consist of at least the following:*

Closure and Post-Closure Plan

Written Post-Closure Plan – 40 CFR 257.104(d)(1)

(1) Maintaining the integrity and effectiveness of the final cover system, including making repairs to the final cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and preventing run-on and run-off from eroding or otherwise damaging the final cover;

(2) If the CCR unit is subject to the design criteria under §257.70, maintaining the integrity and effectiveness of the leachate collection and removal system and operating the leachate collection and removal system in accordance with the requirements of §257.70; and

(3) Maintaining the groundwater monitoring system and monitoring the groundwater in accordance with the requirements of §§257.90 through 257.98.

In accordance with 40 CFR 257.104(d)(1)(i), post-closure care for the closed CCR unit will address the following systems as required under 40 CFR 257.104(b), along with the frequencies for the identified monitoring and maintenance activities:

- Final cover system and
- Groundwater monitoring system.

4.1.1 FINAL COVER SYSTEM - §257.104(b)(1)

OVEC will maintain the integrity and effectiveness of the final cover system and make repairs as necessary to correct the effects of settlement, subsidence, erosion, and other events, and control run-on and run-off from eroding or otherwise damaging the final cover, in accordance with accepted engineering practices. Regularly scheduled inspections, developed specifically for the conditions at the Kyger Creek Station, will be conducted at a minimum annually on the final cover system and will include observations of the dike slopes, crest, and toe. Inspections will monitor for pooling, sloughing, wet areas, seeps, bare areas, and other structural issues.

The cap system will be maintained for a minimum of 30 years following final closure of the CCR unit. Repairs will be conducted as deemed necessary to correct the effects of settlement, subsidence, erosion, and other surface defects encountered during inspections, and to prevent run-on and run-off from eroding or otherwise damaging the final cover. Repairs may consist of grading activities to correct erosion and poor surface runoff conditions.

During the post-closure care period, the following activities will be performed:

- Maintain the approved final contours and drainage systems of the site such that unintended ponding is controlled and precipitation on the closed area is controlled and directed off the closure area.
- Maintain and monitor the surface water drainage features. Maintenance of the surface water drainage system will continue throughout the post-closure period to promote positive drainage and acceptable performance of the drainage system.
- Instrumentation monitoring, liner integrity evaluations, and applicable inspections/assessments.

During post-closure, instrumentation will be monitored at least semi-annually unless a higher frequency of monitoring is deemed necessary.

4.1.2 LEACHATE COLLECTION AND REMOVAL SYSTEM - §257.104(b)(2)

Since the unit is not a new CCR landfill or new lateral expansions of a CCR landfill, it is not subject to the requirements of 40 CFR 257.70. Therefore, additions to this section are not applicable.

4.1.3 GROUNDWATER MONITORING SYSTEM - §257.104(b)(3)

The groundwater monitoring system has been designed and will be maintained in accordance with the EPA Final CCR Rule, 40 CFR §257.90 through 98. Regularly scheduled inspections and preventive maintenance activities will be conducted on the groundwater monitoring system, subject to specific groundwater monitoring compliance conditions and frequencies stipulated by the EPA Final CCR Rule.

The groundwater monitoring system will be maintained and monitored in accordance with the CCR Rule Groundwater Monitoring Plan. The monitoring system, sampling and analysis program will be continued during the post-closure period, in accordance with the EPA Final CCR Rule.

4.2 Contact Information - §257.104(d)(1)(ii)

The following contact information is provided for the post-closure period:

Owner:	Ohio Valley Electric Corporation (OVEC)/ Indiana-Kentucky Electric Corporation (IKEC)
Contact:	3932 U.S. Route 23 P.O. Box 468 Piketon, Ohio 45661
Phone:	740-289-7200
Email:	postclosurecare@ovec.com

4.3 Planned Uses - §257.104(d)(1)(iii)

The post-closure use of the property will be undisturbed vacant land space. The only activities occurring on the closed CCR unit will be related to the post-closure care activities. All other activities will be prohibited.

Post-closure use of the property will not disturb the integrity of the final cover, liner, or any other component of the containment system, or the function of the monitoring systems unless necessary to comply with the requirements of the EPA Final CCR Rule under 40 CFR Part 257.

Any other disturbance is allowed if the owner or operator of the CCR unit demonstrates that disturbance of the final cover, liner, or other component of the containment system, including any removal of CCR, will not increase the potential threat to human health or the environment. The demonstration must be certified by a qualified professional engineer, and notification shall be provided to the state director that the

demonstration has been placed in the operating record and on the owner's or operator's publicly accessible internet site.

4.4 Amendment of Post Closure Plan - §257.104(d)(3)

The owner or operator may amend the post closure plan at any time and must do so at least 60 days prior to any planned change in the operation of the CCR unit that would substantially affect the written closure plan in effect. The post closure plan must also be amended no later than 60 days after an unanticipated event requires the need to revise the existing written post closure plan. If a written post closure plan is revised after post closure activities have commenced for a CCR unit, the owner or operator must amend the written post closure plan no later than 30 days following the triggering event. The amended post closure plan requires a new certification from a qualified professional engineer that it meets the requirements of 40 CFR 257.104.