

November 6, 2024

Evergy Missouri West, Inc.
818 South Kansas Avenue
Topeka, Kansas 66612

Attention: Jared Morrison – Director, Water and Waste Programs

**RE: Extension of Closure Timeframes
Fly Ash Impoundment
Sibley Generating Station**

Dear Mr. Morrison:

On behalf of Evergy Missouri West, Inc. (Evergy), in accordance with Title 40 Code of Federal Regulations (40 CFR) §257.102(f)(2)(i) of the U.S. Environmental Protection Agency Federal Coal Combustion Residuals (CCR) Rule (40 CFR §§257 and 261), effective October 19, 2015 and subsequent revisions, SCS Engineers has prepared this demonstration of the need for a two-year extension for the completion of closure of the Sibley Generating Station Fly Ash Impoundment (FAI) due to factors beyond the facility's control. The CCR Rule allows for this extension based on factors that may include:

- A. Complications stemming from the climate and weather, such as unusual amounts of precipitation or a significantly shortened construction season;
- B. Time required to dewater a surface impoundment due to the volume of CCR contained in the CCR unit or the characteristics of the CCR in the unit;
- C. The geology and terrain surrounding the CCR unit will affect the amount of material needed to close the CCR unit; or
- D. Time required or delays caused by the need to coordinate with and obtain necessary approvals and permits from a state or other agency.

Pursuant to 40 CFR. §257.102(f)(2)(i), Evergy is providing this demonstration to extend the time necessary to close the FAI at the Sibley Generating Station in Sibley, Missouri. Closure was initiated with the "Notification of Intent to Close" prepared by Evergy on January 28, 2020. Removal of the CCR material from the FAI was certified complete on January 14, 2022. However, in accordance with 40 CFR §257.102(c), the FAI cannot be certified closed if groundwater monitoring concentrations exceed the groundwater protection standards (GWPSs) established pursuant to 40 CFR §257.95(h) for constituents listed in Appendix IV of the CCR Rule.

Progress Toward Closure

Groundwater samples for closure confirmation were collected from the FAI groundwater monitoring network on November 15, 2021, and analyzed for the Appendix IV constituents in accordance with 40 CFR §257.102(c). Groundwater protection standards (GWPS) were determined for each Appendix IV constituent detected in the FAI's monitoring wells pursuant to 40 §CFR 257.95(h). Statistical evaluation of the results identified one Appendix IV constituent (molybdenum) in groundwater monitoring well MW-806R at a statistically significant level (SSL) above its GWPS. This exceedance of the GWPS at MW-806R prevented certification of closure by removal and resulted in the initiation of an Assessment of Corrective Measures (ACM).

The ACM was completed on September 15, 2022, and subsequent Semi-Annual Remedy Selection Progress Reports have been completed in accordance with 40 CFR §257.97(a). The FAI is presently working through the Corrective Measures process required by the CCR Rule.

Because closure is not considered complete under 40 CFR §257.102(c) due to current groundwater monitoring concentrations exceeding the established unit-specific GWPSs, it is not feasible to complete and certify closure of the FAI within the required timeframe due to factors beyond the facility's control. This demonstration documents the need to extend the timeframe for closure of the FAI by two years as allowed under 40 CFR §257.102(f)(2). Evergy is making this demonstration for additional time needed to implement groundwater corrective measures to meet groundwater protection standards.

Ongoing Closure Efforts

Physical removal of the CCR material from the FAI was certified complete on January 14, 2022, within the five-year closure timeframe specified in 40 CFR §257.(f)(1)(ii). While the physical closure, removal, and decontamination have been completed and the groundwater monitoring requirements have been performed, additional time is needed to complete groundwater corrective measures. Corrective measures will be complete when groundwater monitoring concentrations are below the applicable GWPSs for three consecutive years.

Selection and implementation of groundwater corrective measures to meet the GWPSs is ongoing. The implementation and operation of the selected corrective measure will begin within the two-year closer extension. Operation of the selected corrective measure will continue into the post-closure period until such time the groundwater monitoring concentrations are below the applicable GWPSs for three consecutive years and final closure certification can be achieved.

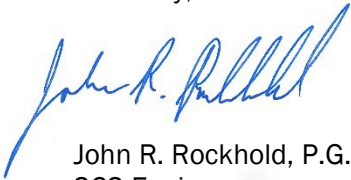
Under the latest CCR Rule amendments (effective November 8, 2024) 40 CFR §257.102(c)(2), the FAI can be closed by completing all removal and decontamination activities, except for groundwater corrective action, during the active life of the CCR unit and by completing groundwater corrective measures during the post-closure care period pursuant to the following procedures:

1. Within the timeframes specified in 40 CFR §257.102(f), document that CCR has been removed from the unit and any areas affected by releases from the CCR unit have been removed or decontaminated, except for groundwater corrective measures;
2. Within the timeframes specified in 40 CFR §257.102(f), begin implementation of the remedy selected such that all components of the remedy are constructed, or otherwise in place, and operating as intended;
3. Complete groundwater corrective measures as a post-closure care requirement;
4. Amend the written closure plan and the written post-closure care plan to reflect this approach to close the CCR unit;
5. Within the timeframes specified in 40 CFR §257.102(f), obtain the completion of closure certification or approval as required in 40CFR §257.102(f)(3); and
6. Within the timeframes specified 40 CFR §257.102(f), record the notation on the deed to the property that the land has been used as a CCR unit.

Conclusion

Evergy has demonstrated the need for a two-year extension for the completion of closure for the Sibley Generating Station Fly Ash Impoundment due to factors beyond the facility's control, groundwater monitoring, and corrective measures requirements for Appendix IV concentrations above the GWPS. The certification statement required under 40 CFR §257.102(f)(2)(iii) has been provided at the end of this letter and is signed by an authorized representative of Evergy as the Owner/Operator.

Sincerely,



John R. Rockhold, P.G.
SCS Engineers



Douglas L. Doerr, P.E.
SCS Engineers

Owner or Operator Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this demonstration and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

By: Jared Morrison
(authorized signature)

By: Jared Morrison
(print or type name)

Company: Evergy

Title: Director, Waste and Water Programs

Date: 11/6/2024