



July 30, 2024

Jeaneanne Gettle  
Region 4 Administrator  
U.S. Environmental Protection Agency  
61 Forsyth Street SW  
Atlanta, GA 30303

Re: Liberty Reciprocating Internal Combustion Engine (RICE) Plant

Dear Ms. Gettle,

East Kentucky Power Cooperative, Inc. (EKPC) is seeking financial assistance from the USDA Rural Development, Rural Utilities Service (RUS) under the RUS Electric Program for the Liberty Reciprocating Internal Combustion Engine (RICE) Plant ("Proposed Action"). In anticipation of National Environmental Policy Act (NEPA), Clean Air Act (CAA), Clean Water Act (CWA), Endangered Species Act (ESA) Section 7, and National Historic Preservation Act (NHPA) Section 106 compliance, the purpose of this letter is to introduce the Project and gather information from your office on preliminary concerns, if any, for consideration in this compliance process. As the NEPA lead agency, RUS has determined that an Environmental Assessment (EA) is the appropriate NEPA class of action for this Project pursuant to 7 Code of Federal Regulations (CFR) § 1970.101. RUS has delegated responsibility for transmittal of Agency Scoping letters to EKPC and their consultant Burns & McDonnell per 7 CFR 1970.5(b)(2), subject to RUS oversight. This letter serves to notify you of the Project and to request your input.

The Proposed Action would be located on approximately 92 acres of cleared agricultural land in Casey County, Kentucky ("Project Site"), that will be owned by EKPC (Figure 1). Within the boundary of the proposed Project Site are four (4) existing barn/shed structures that will be removed and patchy forested areas along the western border of the property. Based on preliminary design, the Project will nominally produce up to 220 megawatts (MW).

As currently planned, the Proposed Action would provide ramping and voltage support for new EKPC renewable generation projects and would consist of the following (see Figure 2 for proposed locations):

- Site preparation (clearing and grading) of portions of the Project Site (impacts to forest, streams, and wetlands would be avoided to the maximum extent practicable);
- Creation of temporary laydown, staging, and parking areas during construction activities, and excavation of a new 2.5-acre stormwater pond;
- Construction of a new RICE plant comprised of 11 individual 20-MW reciprocating engines and associated equipment;
- Construction of a new transmission line (less than 1 mile long), associated transmission switchyard, and approximately 9-acre right-of-way (ROW) based on a total corridor width of 300 ft;
- Rebuild of an approximately 7.5-mile segment of the South Casey County-Liberty Junction transmission line with an approximately 136-acre ROW based on a total corridor width of 150 ft (Figure 1);
- Miscellaneous upgrades (e.g., OPGW installation, conductor operating temperature increases, transformer replacements, etc.) to the existing EKPC transmission system in the vicinity of the Project;
- Construction of a new lateral connection to a third-party gas line (approximately 5-acre corridor surveyed); and
- Rebuilding an existing water line (approximately 0.5-acre corridor surveyed).

4775 Lexington Road  
P.O. Box 707  
Winchester, Kentucky 40392  
[www.ekpc.coop](http://www.ekpc.coop)

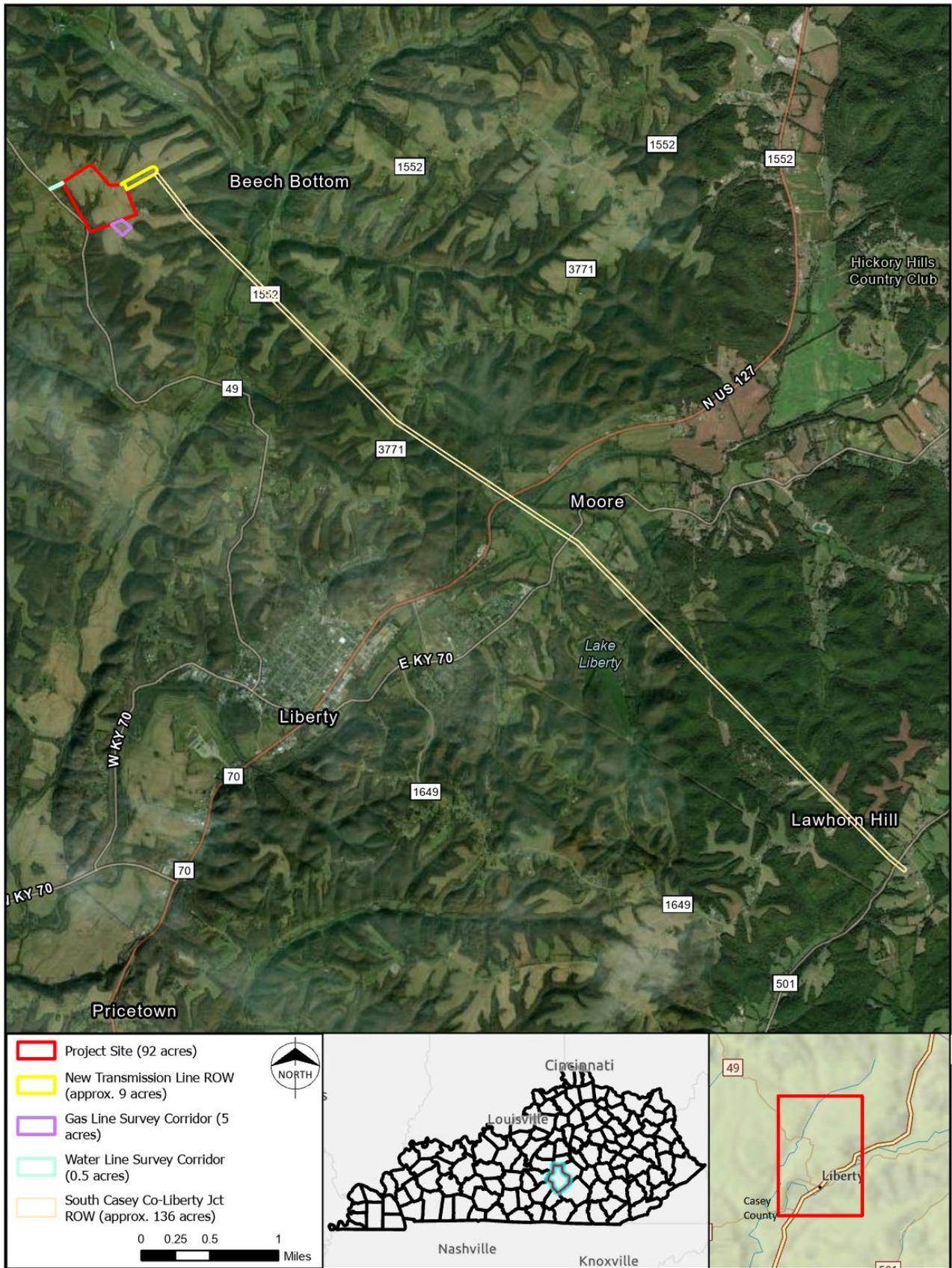
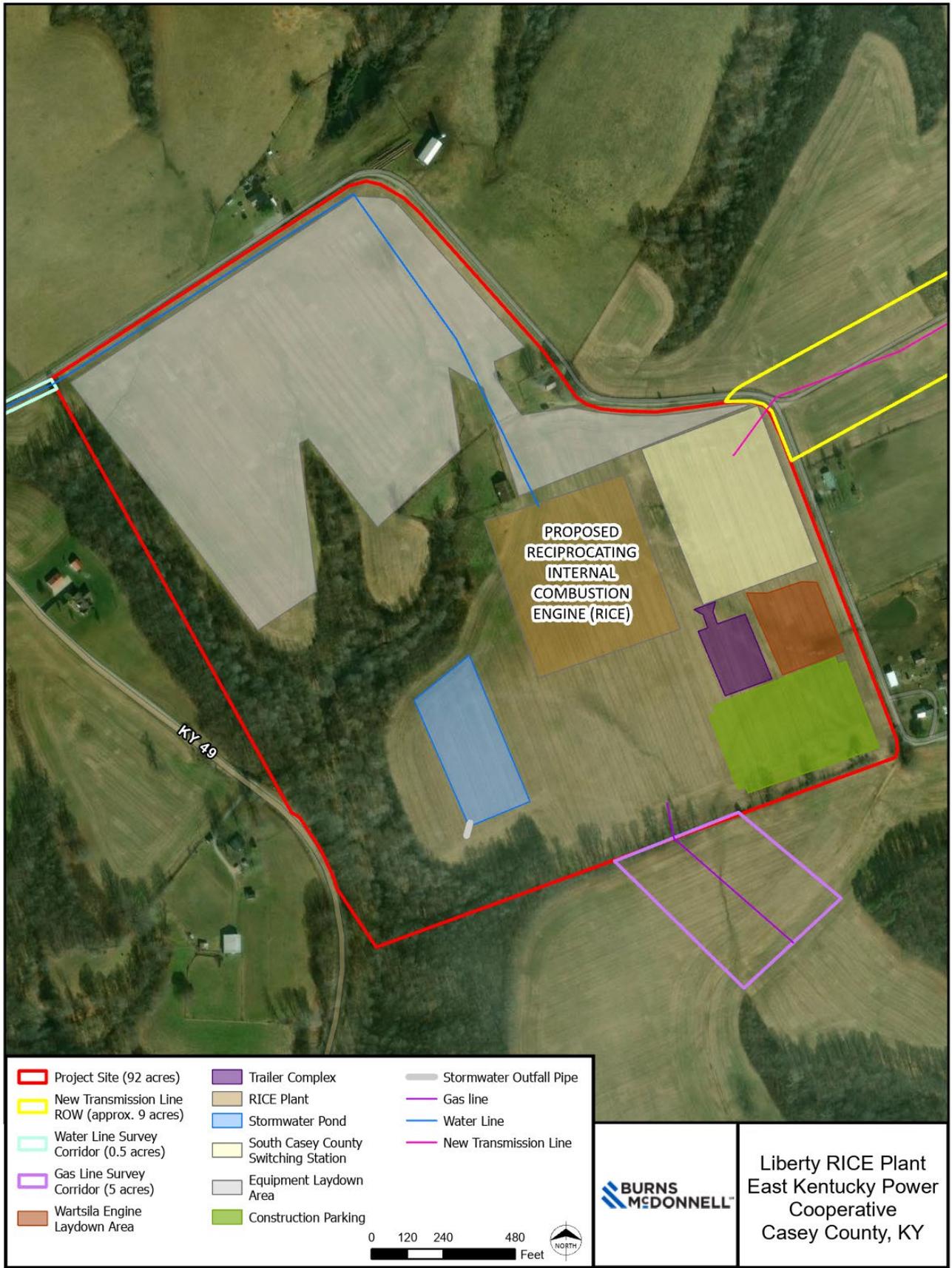


Figure 1. Liberty RICE Project Location Map



**Figure 2. Liberty RICE Preliminary Facility Layout**

The Proposed Action would provide a new generation source in the area, which would help meet anticipated future electricity demands, specifically ramping/voltage support for new renewable energy projects, using technology that is highly flexible. RICE technology has become a popular option for power generators (i.e., utilities and cooperatives) for various services such as backup for renewable generation, system regulation, black-start capabilities, and to provide peaking power at a high efficiency to reduce fuel costs. EKPC would ultimately be responsible for the plant design, permitting, construction, start-up testing, operations, and maintenance.

EKPC would supply the electric power generated by the plant to its rural distribution co-op owner members via existing infrastructure and a new transmission interconnection line (< 1 mile long) and rebuild of the existing South Casey County-Liberty Junction transmission line (approximately 7.5 miles) (Figure 1). Natural gas would be supplied to the Project Site via a proposed short gas tie-in (~300 feet) to the nearby existing gas pipeline, and similarly water would be provided by a rebuilt rural water line adjacent to the site (Figure 2). These features will be evaluated in the NEPA process.

Existing environmental conditions for the Project Site have been reviewed. All elements of the Proposed Action are located outside both the 100- and 500-year flood plains. Environmental justice concerns were evaluated using the EPA’s EJScreen 2.0 tool. A 2-mile buffer was created around the Project Site and a standard report containing 19 environmental and socioeconomic indexes was generated, which identified that the vicinity surrounding the Project Site contains both a Justice40 disadvantaged community and an EPA IRA disadvantaged community. As part of the design and environmental process, EKPC will utilize a permitting matrix to identify any local, state, or Federal permits needed for project completion. Desktop-level studies were performed to determine the need for further evaluation or permitting at the project location. Table 1, below, summarizes the screening-level findings from those studies. Identified permits needed for the Project currently include an air permit and a Kentucky Pollutant Discharge Elimination System (KPDES) construction stormwater permit, as well as Federal Aviation Administration notifications and other appropriate local permitting and licensing.

**Table 1. Project Area Assessment Summary**

<b>Parameter</b>	<b>Proposed Project Site</b>	<b>Proposed Survey Corridors for Ancillary Components</b>
Location	Casey County, KY	Casey County, KY
Site Latitude / Longitude	37°22'11."N /84°57'33"W (approximate center point of Project Site)	37°20'9"N / 84°54'6"W (approximate center point of South Casey County-Liberty Junction ROW)
Total Project Boundary	Approximately 92 acres	Approximately 150.5 acres total
Public Lands and Conservation Easements	0 acres	0 acres
Cultural Resources	No archeological sites have been recorded within the Project Site. The area of potential effect has low potential to contain prehistoric archeological sites. Information has been requested from the Kentucky Office of State Archaeology (OSA).	The corridor areas for the new transmission line, gas line, and water line have been surveyed; however, the 7.5-mi long transmission rebuild corridor has not yet been evaluated.

Parameter	Proposed Project Site	Proposed Survey Corridors for Ancillary Components
Wetlands	<p>Approximately 580 linear feet of one riverine feature is located within a forested drainage bordering the southwestern perimeter of the Project Site adjacent to KY route 49.</p> <p>Approximately 750 linear feet of the second riverine feature runs from the eastern perimeter of the Project Site, crossing Carr Sasser Rd. It is anticipated these features will be avoided.</p>	<p>Within the South Casey County-Liberty Junction ROW, there are approximately 3,900 linear feet of riverine features. Impacts to these features will be avoided to the greatest extent possible.</p> <p>A broad-scope survey of wetlands and waterbodies within the transmission rebuild corridor will be conducted.</p>
Waterbodies	<p>An unnamed pond is located at the end of the riverine stream running outside of the eastern perimeter of the Project Site and will be avoided.</p>	<p>There is a 0.33-acre unnamed pond within the South Casey County-Liberty Junction ROW.</p>
Water Supply	<p>Wells are not likely capable of providing enough water necessary for plant operations; however, an existing rural water line runs adjacent to the Project Site. The analysis assumes County improvements would be made to this water line to enable it to provide sufficient water for the Proposed Action.</p>	<p>There is an approximate 0.5-acre corridor adjacent to the northwest corner of the Project Site boundary that represents the area necessary for proposed water line improvements.</p>
FEMA Flood Zones	<p>None within the Project Site.</p>	<p>Approximately 8.5 acres of 100-year floodplain located within the South Casey County-Liberty Junction transmission line ROW.</p>
Land Use	<p>Within the EKPC Property Boundary, gas line survey corridor, and water line survey corridor, there are six (6) different land use types, approximately half the acreage is categorized as cultivated crops (approximately 50 acres).</p>	<p>Within the survey corridors and transmission line ROW areas, there are eight (8) different land use types, with the majority being deciduous forest (approximately 85 acres) and pasture/hay (approximately 50 acres).</p>

Parameter	Proposed Project Site	Proposed Survey Corridors for Ancillary Components
Soils	There are no hydric soils within the Project Site.	Johnsburg silt loam (10.1 acres), Linside silt loam, occasionally flooded (2.4 acres), Melvin silt loam, 0 to 2 percent slopes, occasionally flooded (5.2 acres), Newark silt loam, 0 to 2 percent slopes, occasionally flooded (2.3 acres), Nolin silt loam, 0 to 2 percent slopes, occasionally flooded (2.5 acres), Skidmore very gravelly loam, frequently flooded (2.0 acres), and Yosemite gravelly silt loam, frequently flooded (4.6 acres) are present within the South Casey County-Liberty Junction transmission line ROW.
Rare, Threatened, and Endangered Species	According to the USFWS IPaC database, sixteen (16) federally listed species are known or have the potential to occur within the vicinity of the Project Site. Critical habitat does not occur at or in the vicinity of the Project Site. The Project Site includes suitable habitat for the Indiana bat, NLEB, and tricolored bat.	According to the USFWS IPaC database, sixteen (16) federally listed species are known or have the potential to occur within the vicinity of these survey corridors and ROWs. Critical habitat does not occur at or in the vicinity, but the area does provide suitable habitat for the Indiana bat, NLEB, and tricolored bat.
Air Quality	Area is unclassified/in attainment. All emissions will be limited such that the facility will comply with EPA and state requirements. No major air permitting implications as the project will be under the Prevention of Significant Deterioration thresholds. Appropriate permitting would be received prior to construction and operations.	Area is unclassified/in attainment. All emissions will be limited such that the facility will comply with EPA and state requirements. No major air permitting implications as the project will be under the Prevention of Significant Deterioration thresholds.
Environmental Justice	A 2-mile buffer around the Project Site was evaluated using the EPA's EJScreen 2.0 tool, and a standard report containing 19 environmental and socioeconomic indexes was generated. Report identified that both a Justice40 disadvantaged community and an EPA IRA disadvantaged community are present within the 2-mile area.	A 2-mile buffer around the survey corridors and transmission line ROW was evaluated using the EPA's EJScreen 2.0 tool, and a standard report containing 19 environmental and socioeconomic indexes was generated. Report identified that both a Justice40 disadvantaged community and an EPA IRA disadvantaged community are present within the 2-mile area.

EKPC requests your review of this Project and asks that you provide information on any concerns, resources, or potential impacts that you believe the forthcoming EA should address. We would appreciate any recommendations you may have to mitigate or avoid environmental impacts. Please share any information regarding additional review requirements that your agency may have. We request that you review this document and provide a response within 30 days of your receipt of this letter. To send comments or request further information, please contact Jerry Purvis, EKPC VP Environmental Affairs, P.O. Box 707, Winchester, KY 40391 or email at: [jerry.purvis@ekpc.coop](mailto:jerry.purvis@ekpc.coop) or voice call at 859.745.9244 with reference to the proposed Liberty RICE Plant project.

**Contact Information**

U.S. Postal Service	Mr. Jerry Purvis VP, Environmental Affairs P.O. Box 707, 4775 Lexington Road Winchester, KY 40392-0707
	Mr. Jerry Purvis
Email	Jerry.Purvis@ekpc.coop
Telephone Hotline	(859) 745.9244

Sincerely,

*Jerry Purvis*

Jerry Purvis  
Vice President, Environmental Affairs

- CC: Mr. Michael Regan, EPA Administrator  
 Mr. Andy Berke, RUS Administrator  
 Mr. Joseph Ranson, RUS Director of Environmental Review  
 Mr. Robert Deems, RUS Branch Chief  
 Ms. Kate Moore, RUS Cultural Resource Lead  
 Ms. Suzanne Kopich, RUS Environmental Lead  
 Mr. Josh Young, EKPC Manager Natural Resources  
 Mr. Chris Howell, Burns & McDonnell  
 Ms. Erika Grace, Burns & McDonnell