BURNS McDONNELL

EAST KENTUCKY POWER COOPERATIVE

FINAL CCR LEGACY RULE COMPLIANCE REQUIREMENTS

JULY 30, 2025

Executive Summary

On May 8, 2024, EPA published changes to the CCR regulations to include two new subcategories of CCR units:

- Legacy CCR Surface Impoundments (LSIs), which are defined as "a CCR surface impoundment that no longer receives CCR but contained both CCR and liquids on or after October 19, 2015, and that is located at an inactive electric utility or independent power producer [i.e., that ceased providing power to electric power transmission systems or to electric power distribution systems before October 19, 2015]."
- CCR management units (CCRMUs), which are defined as "any area of land on which any noncontainerized accumulation of CCR is received, is placed, or is otherwise managed, that is not a regulated CCR unit. This includes inactive CCR landfills [which were not captured within the 2015 CCR Rule] and CCR units that closed prior to October 19, 2015, but does not include roadbed and associated embankments in which CCR is used unless the facility or a permitting authority determines that the roadbed is causing or contributing to a statistically significant level above the groundwater protection standard established under section 40 CFR 257.95(h)."

These changes to the CCR Rule, referred to as the CCR Legacy Rule herein, went into effect on November 8, 2024. Requirements include preparing new compliance documentation for each facility and the LSIs and/or CCRMUs identified onsite, as well as installing a groundwater monitoring system and performing closure for each unit in accordance with the CCR Rule. The compliance deadlines for LSIs are generally one year earlier than those for CCRMUs (see Tables 2-1 and 2-2 for dates) due to the recent direct final rule that gave an extension for CCRMUs (Docket No.: EPA–HQ–OLEM–2020-0107). For LSIs, a groundwater monitoring system must be installed, sampling and analysis program defined, and detection and assessment monitoring initiated by May 10, 2027, compared to May 8, 2028, for a CCRMU. Similarly, LSIs must initiate closure by May 8, 2028*, and CCRMUs must commence closure by May 8, 2029**.

East Kentucky Power Cooperative (EKPC) owns or operates eleven facilities which may be subject to the CCR Legacy Rule. EKPC has retained Burns & McDonnell Engineering Company (Burns & McDonnell) and Geosyntec Consultants, Inc. (Geosyntec) to assist in identifying and evaluating potential LSIs and CCRMUs at these facilities and developing plans for complying with the CCR Legacy Rule, where applicable.

*Pursuant to Direct Final Rule (DFR) - May 8, 2029

**Pursuant to Direct Final Rule (DFR) - August 8, 2030

1.0 CCR Legacy Rule Compliance Requirements

To determine applicability of the final CCR Legacy Rule, EKPC must evaluate each of its relevant facilities for the potential presence of LSIs and CCRMUs. If any LSIs or CCRMUs are identified, certain activities must be completed for each unit, including preparation, certification and posting of compliance documentation in each facility's operating record and public CCR website. Compliance timeframes for LSIs generally fall ahead of those for CCRMUs. The requirements for LSIs and CCRMUs are summarized in Table 1-1 and Table 1-2, respectively. Note, the compliance requirements for LSIs may be reduced for units which were closed prior to November 8, 2024, depending on the method of closure and available information, as discussed further herein. Closure compliance requirements for CCRMUs also may be deferred under certain circumstances, including for sites underlying critical infrastructure. The applicability of the reduced and/or deferred requirements will vary based on the closure method and available documentation.

Table 1-1: Legacy Surface Impoundment (LSI) Compliance Requirements

Requirement	Description	Compliance Date
Applicability Report	Report to identify location and condition of LSIs at each site (§ 257.100)	11/8/2024
	Report Extension 1 [if needed - § 257.100(f)(1)(iii)]	11/8/2024
	Report Extension 2 [if needed - § 257.100(f)(1)(iii)]	5/8/2025
	Report Extension 3 [if needed - § 257.100(f)(1)(iii)]	11/10/2025
	For LSIs closed prior to 11/8/24:	
	Closure Certification or Notification of Intent to Certify Closure	11/8/2024
	Complete Closure Certification for Units which posted Notification of Intent to Certify Closure	5/8/2028
CCR Website & Notification	Establish CCR website & notify EPA (§ 257.107)	11/8/2024
Site Security	Implement site security measures (§ 257.100(f)(3)(ii))	11/8/2024
Operating Criteria	Fugitive dust control plan (§ 257.80)	11/8/2024
	Initiate weekly inspections of the CCR unit (§ 257.83)	11/8/2024
	Initiate monthly monitoring of CCR unit instrumentation (§ 257.83)	11/8/2024
	Initial annual inspection of the CCR unit (§ 257.83)	2/10/2025
	Initial annual fugitive dust report (§ 257.80)	1/8/2026
	Initial inflow design flood control system plan (§ 257.82)	5/8/2026 (periodically thereafter)

Requirement	Description	Compliance Date
Design Criteria	Install permanent marker (§ 257.73)	1/8/2025
	History of construction (§ 257.73)	2/9/2026
	Initial hazard potential classification assessment (§ 257.73)	5/8/2026 (periodically thereafter)
	Initial structural stability and safety factor assessment (§ 257.73)	5/8/2026 (periodically thereafter)
	Emergency action plan (§ 257.73)	5/8/2026 (periodically thereafter)
Groundwater Monitoring & Corrective Action	Install the groundwater monitoring system (§ 257.91)	5/10/2027
	Develop the groundwater sampling and analysis program (§ 257.93)	5/10/2027
	Initiate the detection monitoring and assessment monitoring. Begin evaluating the groundwater monitoring data for SSIs over background levels and SSLs over GWPS. (§ 257.90-95)	5/10/2027
	Initial annual GWMCA report (§ 257.90(e))	1/31/2027
	Estimated earliest date to trigger corrective action	*8/8/2027*
Closure & Post-Closure	Closure Plan (§ 257.100-257.101)	11/8/2027
	Post-Closure Plan (§ 257.104)	11/8/2027
	Prepare Notice of Intent to Close and Initiate Closure (§ 257.101)	5/8/2028

Table 1-2: CCR Management Unit (CCRMU) Compliance Requirements

Requirement	Description	Compliance Date
CCR Website	Establish CCR website & notify EPA (§ 257.107)	2/9/2026*
Facility Evaluation Report (FER)	Part 1 (report identifies location, properties, and condition of CCRMUs at each site) (§ 257.75)	2/9/2026*
	Part 2 (supplement to Part 1 to incorporates results of physical evaluation) (§ 257.75)	2/8/2027
Operating Criteria	Initial annual fugitive dust report (§ 257.80)	8/9/2027* (6 months after FER)
Groundwater Monitoring & Corrective Action	Install the groundwater monitoring system (§ 257.91)	5/8/2028*
	Develop the groundwater sampling and analysis program (§ 257.93)	5/8/2028*
	Initiate the detection monitoring and assessment monitoring. Begin evaluating the groundwater monitoring data for SSIs over background levels and SSLs over GWPS. (§ 257.90-95)	5/8/2028*
	Initial annual GWMCA report (§ 257.90(e))	1/31/2029*

	Estimated earliest date to trigger corrective action	*8/6/2028**
Closure & Post-Closure	Closure Plan (§ 257.100-257.101)	11/8/2028*
	Post-Closure Plan (§ 257.104)	11/8/2028*
	Initiate Closure (§ 257.101)	5/8/2029*

**Dates subject to change based on the direct final rule announced by the EPA on July 17, 2025 (Docket No.: EPA–HQ–OLEM–2020-0107)*

As noted in the table above, deadlines for compliance with the groundwater monitoring and closure/post-closure requirements generally occur one year earlier for LSIs than for CCRMUs but are subject to change based upon the direct final rule announced on July 17, 2025 (Docket No.: EPA–HQ–OLEM–2020-0107). Additionally, although the dates noted are the compliance *deadlines* for the CCR Legacy Rule requirements, certain activities may need to be completed in advance of these dates to maintain the overall compliance timeline, such as the requirements to install groundwater monitoring systems and develop sampling and analysis plans for each identified LSI or CCRMU. These systems should be installed prior to the overall groundwater monitoring compliance deadline to confirm that the monitoring network meets the standards under the CCR Rule and to establish background water quality in accordance with 40 CFR 257.93 and initiate statistical evaluations of groundwater monitoring results.

In general, an applicability report must be prepared to identify each LSI at an inactive facility by November 8, 2024. The report must contain information on the name and address of the owner, information to identify the LSI (such as location latitude and longitude, a site location figure, etc.), and any identification number assigned by the State. The requirement to identify LSIs only applies at inactive facilities. The CCR Legacy Rule provides limited circumstances in which the completion of the applicability report may be delayed, including if the owner/operator undertakes a field investigation to determine whether the unit contains both CCR and liquids. 40 CFR 257.100(f)(1)(iii). Certain units that were closed by removal of waste prior to November 8, 2024, also may delay the completion of an applicability report – and potentially avoid the substantive requirements applicable to LSIs, per 40 CFR 257.100(g) and (h). If the applicability report identifies one or more LSIs at an inactive facility, then the owner/operator must also evaluate the facility for the presence of CCRMUs.

To evaluate the presence of potential CCRMUs at active facilities or at inactive facilities with an LSI, a Facility Evaluation Report (FER) must be prepared. Part 1 of the FER is based on a desktop evaluation of the site using readily and reasonably available information. Part 2 of the FER would require a site investigation, as needed, including borings, test pits, or similar, to determine the horizontal and vertical limits of the potential CCRMU. Additionally, should the FER confirm the presence of a CCRMU, a fugitive dust control plan would need to be prepared following completion of the FER.

Groundwater monitoring would need to be installed for any identified LSI or CCRMU (if not already present) and a sampling and analysis plan would need to be developed for each groundwater monitoring system. The CCR Legacy Rule requires that groundwater monitoring for LSIs and CCRMUs include both detection monitoring under 40 CFR 257.94 and assessment monitoring under 40 CFR 257.95. Each groundwater monitoring system must be maintained through closure of the respective LSI or CCRMU (including for 30 years post-closure in the event of closure in place).

LSIs and CCRMUs are both subject to the closure requirements under the original CCR Rule, as modified in the Legacy Rule. Units may be closed by removal in accordance with 40 CFR 257.102(c) or closed by leaving the CCR material in place and installing a final cover system in accordance with 40 CFR 257.102(d). For units closed in place, infiltration must be minimized, free liquids must be eliminated from the CCR material prior to installing the cover system, among other things, and groundwater monitoring must continue for 30 years post-closure. 40 CFR 257.102(d). Closure is considered complete when the respective closure method standards are met and are certified by a qualified professional engineer.

Closure of each identified LSI and CCRMU would need to be completed within five years of the initiation of closure, with the possibility of one 2-year extension for units less than 40 acres in size and five 2-year extensions for units greater than 40 acres in size.

The CCR Legacy Rule includes provisions for deferring the initiation of closure of CCRMUs under critical infrastructure (see definition and examples provided in 40 CFR 257.53). Under new provisions in 40 CFR 257.101(h), closure for units under critical infrastructure would be initiated when:

- The infrastructure is no longer needed,
- EPA or a Participating State Director determines closure is necessary to ensure that there is no reasonable probability of adverse effects on human health or the environment,
- Or the facility is closed or decommissioned (whichever occurs first).

LSIs and CCRMUs are also subject to the CCR Rule's corrective action requirements under 40 CFR 257.96, 257.97, and 257.98. Thus, if assessment monitoring is triggered and EKPC identifies one or more Appendix IV constituents with statistically significant levels over groundwater protection standards, EKPC will be required to complete an Assessment of Corrective Measures and select a remedy to implement.

The following sections provide preliminary information concerning the Legacy Rule compliance requirements as they may pertain to each of EKPC's facilities.

2.0 Dale Station

Dale Station is a retired coal-fired power plant in Ford, Kentucky. Power generation ceased at Dale Station on August 7, 2015. Prior to retirement, EKPC operated three CCR surface impoundments at Dale Station which were referred to as Ash Pond 2, Ash Pond 3, and Ash Pond 4. Ash Pond 3 was filled around 1979 and was later utilized to stack ash dredged from Pond 2, but still contained CCR and potentially liquids as of October 19, 2015. All three Ash Ponds were closed by removal of CCR under the oversight of the Kentucky Division of Waste Management between 2015 and 2017 and were re-graded to promote positive drainage and to prevent retention of stormwater runoff. Ash Pond 2 includes the former Ash Pond 1 area which was at one point separated from Ash Pond 2 by a dike, but the dike was previously removed during the operational life of the plant. Ash Ponds 2 and 3 were separated by a dike consisting of ash and lean clay.[1]

Since the facility did not generate electricity after October 19, 2015, the three former impoundments were not subject to the 2015 CCR Rule but will be reconsidered in light of the CCR Legacy Rule. The Dale Ash Ponds were closed over three construction seasons between July 2015 and December 2017 with CCR removal being completed on October 3, 2016, for Ash Pond 4 and on November 3, 2017, for Ash Ponds 2 and 3 (closed together).

2.1 Potentially Applicable Units

2.1.1 Legacy Surface Impoundments

Because Ash Ponds 2, 3, and 4 are believed to have contained liquids after the effective date of the 2015 rule (October 19, 2015), they may qualify as LSIs. However, even if they otherwise would qualify as LSIs, they may be eligible for a more limited scope of compliance requirements because they were closed by removal prior to November 8, 2024, provided EKPC can certify that their closure met the performance standards under 40 CFR 257.100(h). Under those more limited requirements, compliance for any qualifying units would include the following activities:

- Establishing a public CCR Website & notifying EPA (website already established and notification provided to EPA on Nov. 7, 2024)
- Preparation of a Notification of Intent to Certify Closure, with placement in the facility's operating record (completed Nov. 8, 2024)
- Installation of a groundwater monitoring system and performance of groundwater monitoring in accordance with 40 CFR 257.90-257.95 for at least two consecutive sampling events to demonstrate that all Appendix IV constituents have concentrations that do not exceed the applicable groundwater protections standards
- If there are no such exceedances, preparation of a closure certification.

[1] S&ME Summary of Stability Evaluation, Ash Pond #2 (August 4, 2010), S&ME Geotechnical Services Report Dale Power Station (November 1, 2013)

40 CFR 257.100(1). Assuming the closure certifications are completed by May 8, 2028, for each Ash Pond, the certified units would not be considered LSIs subject to the complete requirements for LSIs under the CCR Legacy Rule. If for some reason one or more of the closure certifications cannot completed by the compliance date (either because the monitoring cannot be completed successfully or the monitoring shows that the groundwater protection standards (GWPS) have been exceeded), the unit in question would be considered an LSI, and the Dale Station would be subject to both LSI and CCRMU compliance requirements on that date, per 40 CFR 257.100(h)(2). The requirements under 40 CFR 257.100(h)(2) are as follows:

- If a statistically significant level is detected, comply with the corrective action provisions and proceed in accordance with 40 CFR 257.102(c)(2) for the subject Ash Pond(s)
- Installation of a permanent marker (8 months following the date such former Ash Pond(s) become subject to the requirement, i.e., either when an exceedance of a GWPS has been identified, or May 8, 2028, whichever is later)
- The LSI applicability report (6 months following the date such former Ash Pond(s) become subject to the requirement)
- The CCRMU facility evaluation report (33 months following the date any of the former Ash Ponds become subject to the requirement; note that interim deliverables and dates apply according to Part 1 and Part 2)
- The fugitive dust control plan (6 months following the facility evaluation report, only if a CCRMU is identified).
- Groundwater monitoring for CCRMUs pursuant to 40 CFR 257.90(b)(3)(i)-(iv) (48 months following the date they become subject to the requirement)
- The written closure plan for CCRMUs (54 months following the date they become subject to the requirement)
- The post-closure plan for CCRMUs (54 months following the date they become subject to the requirement)
- Initiation of closure of CCRMUs (60 months following the date they become subject to the requirement)

2.1.2 CCR Management Units

Per the CCR Legacy Rule, 40 CFR 257.75(a), the requirements for identifying CCRMUs are only applicable to either (i) active facilities or (ii) inactive facilities with at least one LSI. Dale Station is not an active facility, and thus would not be subject to the CCRMU requirements unless an LSI is identified.

If Dale Station is determined to contain any LSIs, the facility would be subject to the CCRMU compliance requirements, as outlined in Sections 1.0 and 2.1.1, above.

2.2 Steps for Compliance

As noted in Section 2.1.1, EKPC has prepared and submitted a Notification of Intent to Certify Closure for the Former Ash Ponds at Dale, which, if successful for all three ponds, would exempt Dale Station from the LSI and CCRMU compliance requirements under the Final Legacy Rule. To certify closure, a groundwater monitoring system will need to be installed to confirm groundwater concentrations do not

exceed the groundwater protection standards established pursuant to 40 CFR 257.95(h) for appendix IV constituents. Two successful consecutive sampling events (i.e., no detections of statistically significant levels of Appendix IV constituents over applicable groundwater protection standards) are required to complete the Closure Certification. If the closure can be certified for the Former Ash Ponds by May 8, 2028, no additional compliance steps would be required for the Dale Station.

If EKPC is not able to certify that one or more of the Former Ash Ponds was closed in conformity with the closure by removal standards, the subject pond would be considered a regulated LSI, and the Dale Station would be subject to the LSI compliance requirements and the need to complete the CCRMU FER process beginning on that date. The compliance requirements for LSIs and CCRMUs (including the FER process) are described in Sections 1.0 and 2.1.1, above. To summarize, if an SSL is detected for the LSI, compliance with the corrective action provisions would be required in accordance with 40 CFR 257.102(c)(2). Additionally, EKPC would need to install a permanent marker for the LSI and prepare an Applicability Report. EKPC would also need to complete a facility evaluation report for the Dale Station and satisfy the groundwater monitoring and closure requirements applicable to any identified CCRMUs.

3.0 Spurlock Station

Spurlock Station is a coal-fired power plant near Maysville, Kentucky. The site operates two CCR landfills, the Spurlock Landfill and Peg's Hill Landfill, and formerly operated one CCR surface impoundment, the Spurlock Impoundment, which is in the process of being closed by removal under the 2015 CCR Rule. The Spurlock Station does not contain any LSIs but may contain CCRMUs, subject to confirmation through the FER process.

3.1 Potentially Applicable Units

3.1.1 Legacy Surface Impoundments

There are no LSIs at Spurlock Station as Spurlock is an active plant.

3.1.2 CCR Management Units

Again, the presence of any CCRMUs at Spurlock will be determined through the FER process, as summarized in Section 1.0 above.

4.0 Cooper Station

Cooper Station is a coal-fired power plant in Somerset, Kentucky. The site operates one CCR landfill, the Cooper Landfill.

4.1 Potentially Applicable Units

4.1.1 Legacy Surface Impoundments

There are no LSIs at Cooper Station as Cooper is an active plant.

4.1.2 CCR Management Units

The presence of any CCRMUs at Cooper Station will be determined through the FER process, as summarized in Section 1.0 above.

5.0 Smith Station

Smith Station is a gas-and fuel oil-fired power plant in Winchester, Kentucky. The site operates one CCR landfill, the Smith Landfill, which received CCR material from the Dale Station ash ponds as part of the pond closures and restoration project and receives CCR material on a periodic basis from the Spurlock and/or Cooper Stations.

5.1 Potentially Applicable Units

5.1.1 Legacy Surface Impoundments

There are no LSIs at Smith Station as Smith Station is an active facility.

5.1.2 CCR Management Units

The presence of any CCRMUs at Smith Station will be determined through the FER process, as summarized in Section 1.0 above.

6.0 Hancock Creek

[On January 16, 2025, EPA published a direct final rule and companion proposed rule to "correct errors and clarify several provisions" in the final CCR Legacy Rule. 90 Fed. Reg. 4635 and 90 Fed. Reg. 4707. Among the changes announced by EPA is a clarification of the scope of the Legacy Rule's CCRMU requirements, 40 CFR 257.50(d), as applied to "active facilities." The rule changes would clarify that the CCRMU requirements ***do not*** *apply to facilities that have not produced electricity for the grid* ***using fossil fuel*** *on or after October 19, 2015. The effect of this change, if finalized, would be to remove the EKPC Headquarters site from the scope of the CCR Rule (because the only generation that occurs, and has occurred, at the site is from solar energy). The following analysis is based upon the current rule language but will be updated to reflect that the CCR Rule no longer applies to the Headquarters site if and when the proposed clarification is finalized, which may occur as early as mid-March 2025.*

EPA withdrew the direct final rule after receiving adverse comments. EPA will respond to comments as part of the final action on the parallel proposed rule.]

Hancock Creek is an existing closed CCR landfill located in Winchester, Kentucky, at the site of EKPC Headquarters. The Headquarters site contains a solar farm, known as Cooperative Solar Farm One, which generates power, and is therefore considered an active facility. Hancock Creek is regulated by KDWM as a special waste landfill. The landfill received CCR material from the Dale Station while Dale was operating. The landfill was closed in 2011 and is currently under post-closure care, which includes groundwater monitoring in accordance with Kentucky requirements.

6.1 Potentially Applicable Units

6.1.1 Legacy Surface Impoundments

There are no LSIs at the EKPC Headquarters property as it is the location of Cooperative Solar Farm One and is therefore an active facility.

6.1.2 CCR Management Units

The determination of whether the Hancock Creek Landfill constitutes a CCRMU, or if any other CCRMUs are present at the Headquarters property, will be made through the FER process, as summarized in Section 1.0 above.

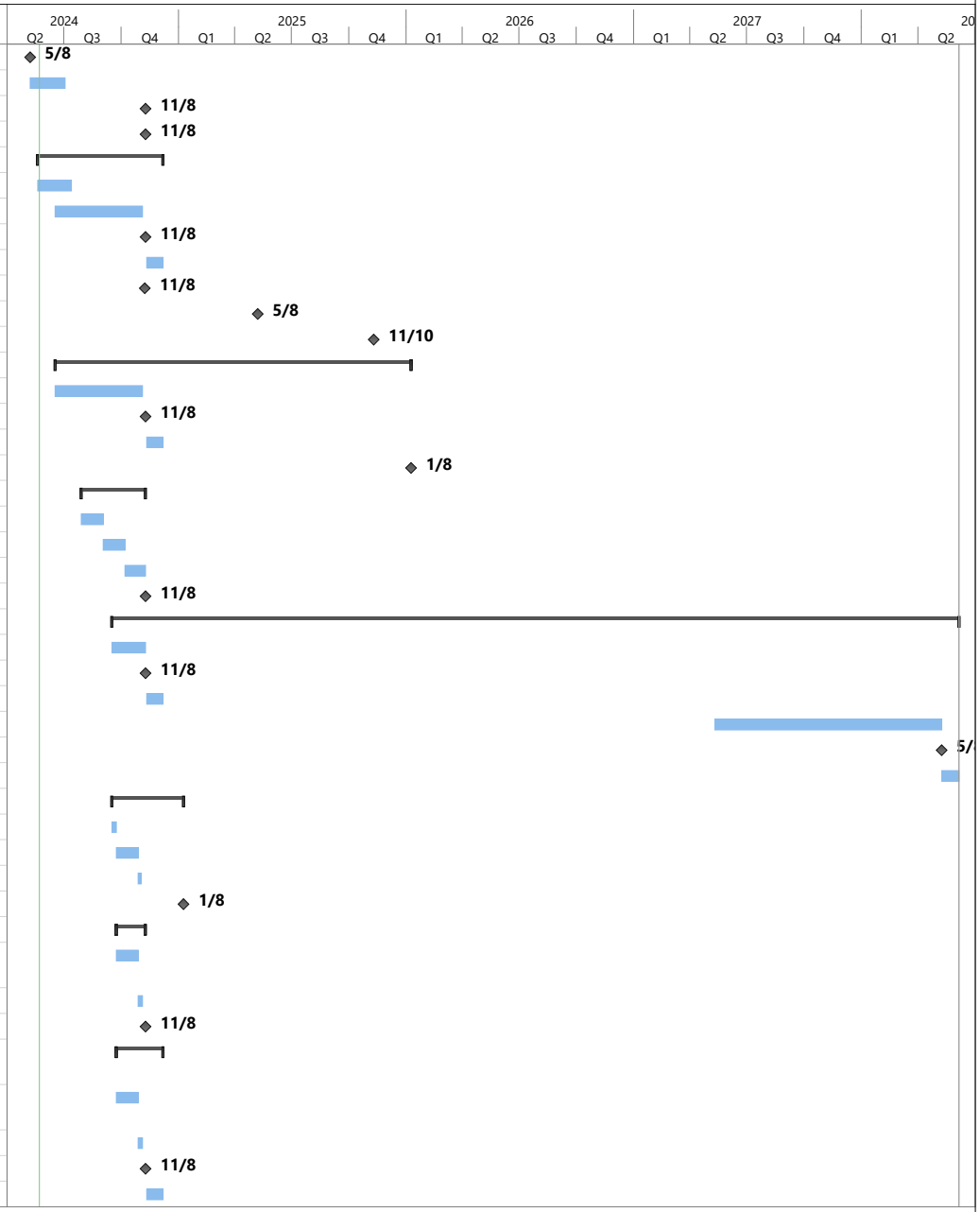
7.0 Compliance Plans for Other Regulated Facilities

[EPA's January 16, 2025 issuance of a direct final rule and accompanying proposed rule will clarify portions of the final CCR Legacy Rule. Those changes, if finalized, would confirm that the Legacy Rule's CCRMU requirements do not apply to Bluegrass Station or the five Landfill Gas-to-Energy Facilities discussed below. If and when the clarifications are finalized, likely later in 2025, the following analysis will be updated accordingly to reflect that an FER will not be required for each of these sites.]

Bluegrass Station is a gas-fired power plant in LaGrange, Kentucky. The site does not operate any CCR units and is not known to contain any CCR. Similarly, EKPC operates five Landfill Gas-to-Energy Facilities across the Commonwealth of Kentucky. These municipal and separately owned landfill sites do not contain any CCR. For each of these facilities, EKPC may be required to submit an FER Part 1 document noting the steps taken during the facility evaluation to determine that no CCRMUs exist onsite. However, this requirement is dependent on determining whether those facilities qualify as an active facility under the CCR Legacy Rule. EKPC continues to evaluate these sites and to monitor further regulatory developments to determine if and how they may be impacted by the CCR Legacy Rule

APPENDIX A – GENERIC COMPLIANCE SCHEDULES

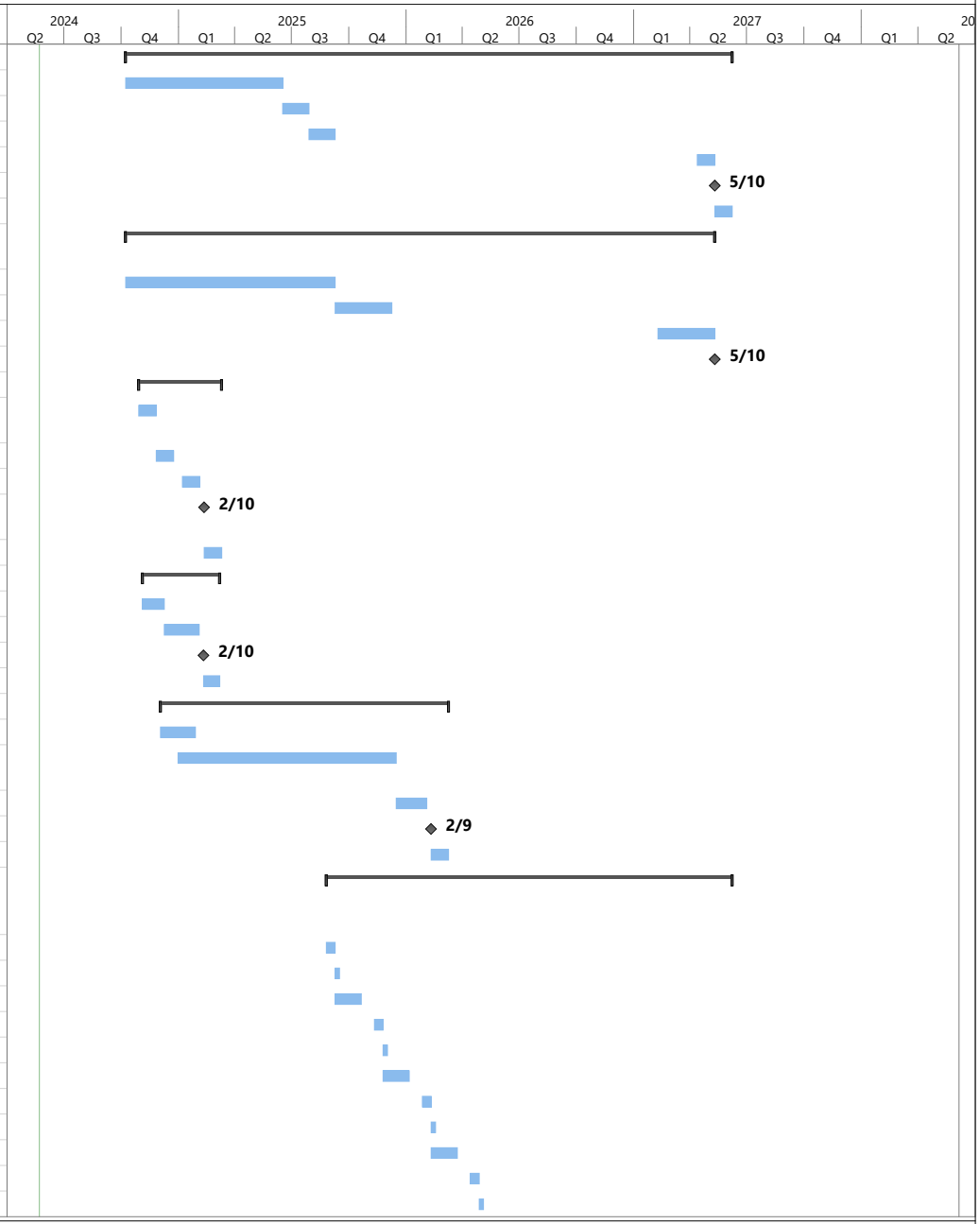
ID	Task Name	Duration	Start	Finish
1	Final Legacy CCR Rule Published	0 days	Wed 5/8/24	Wed 5/8/24
2	Review/Evaluate Final Rule Impacts	40 days	Wed 5/8/24	Tue 7/2/24
3	Effective date of the Final Legacy CCR SI Rule	0 days	Fri 11/8/24	Fri 11/8/24
4	Establish CCR website	0 days	Fri 11/8/24	Fri 11/8/24
5	**Applicability Report**	**145 days**	**Mon 5/20/24**	**Fri 12/6/24**
6	Compile applicable information	40 days	Mon 5/20/24	Fri 7/12/24
7	Develop the Applicability Report	100 days	Mon 6/17/24	Mon 11/4/24
8	Post report to operating record	0 days	Fri 11/8/24	Fri 11/8/24
9	Post to CCR website	20 days	Mon 11/11/24	Fri 12/6/24
10	**Applicability Report - Extension 1**	0 days	Fri 11/8/24	Fri 11/8/24
11	**Applicability Report - Extension 2**	0 days	Thu 5/8/25	Thu 5/8/25
12	**Applicability Report - Extension 3**	0 days	Mon 11/10/25	Mon 11/10/25
13	**Prepare fugitive dust control plan**	**409 days**	**Mon 6/17/24**	**Thu 1/8/26**
14	Develop fugitive dust control plan	100 days	Mon 6/17/24	Mon 11/4/24
15	Post fugitive dust control plan to operating record	0 days	Fri 11/8/24	Fri 11/8/24
16	Post to CCR website	20 days	Mon 11/11/24	Fri 12/6/24
17	First Annual Fugitive Dust Report	0 days	Thu 1/8/26	Thu 1/8/26
18	**Implement site security measures**	**75 days**	**Mon 7/29/24**	**Fri 11/8/24**
19	Assess appropriate security measures	25 days	Mon 7/29/24	Mon 9/2/24
20	Procure final security measures	25 days	Mon 9/2/24	Mon 10/7/24
21	Install site security measures	25 days	Mon 10/7/24	Fri 11/8/24
22	Site security measures in place	0 days	Fri 11/8/24	Fri 11/8/24
23	**CbR LSI - Certify Closure**	**971 days**	**Mon 9/16/24**	**Mon 6/5/28**
24	Prepare Notice of Intent to Certify Closure	40 days	Mon 9/16/24	Fri 11/8/24
25	Post Notice of Intent to Certify Closure to operating record	0 days	Fri 11/8/24	Fri 11/8/24
26	Post Notice to CCR website	20 days	Mon 11/11/24	Fri 12/6/24
27	Prepare Closure Certification (using GWM data)	260 days	Tue 5/11/27	Mon 5/8/28
28	Post Closure Certification to Operating Record	0 days	Mon 5/8/28	Mon 5/8/28
29	Post Closure Certification to CCR website	20 days	Tue 5/9/28	Mon 6/5/28
30	**Install permanent marker**	**83 days**	**Mon 9/16/24**	**Wed 1/8/25**
31	Assess appropriate marker	5 days	Mon 9/16/24	Mon 9/23/24
32	Procure final marker	25 days	Mon 9/23/24	Mon 10/28/24
33	Install permanent marker	5 days	Mon 10/28/24	Fri 11/1/24
34	Permanent marker installed	0 days	Wed 1/8/25	Wed 1/8/25
35	**Initiate weekly inspections of the CCR unit.**	**35 days**	**Mon 9/23/24**	**Fri 11/8/24**
36	Compile appropriate information, develop template, implement staff training, etc.	25 days	Mon 9/23/24	Mon 10/28/24
37	Initiate weekly inspections	5 days	Mon 10/28/24	Mon 11/4/24
38	Post weekly inspection report to the operating record	0 days	Fri 11/8/24	Fri 11/8/24
39	**Initiate monthly monitoring of CCR unit instrumentation, as appropriate.**	**55 days**	**Mon 9/23/24**	**Fri 12/6/24**
40	Compile appropriate information, understand site evaluation, assess montiroing instumentation	25 days	Mon 9/23/24	Mon 10/28/24
41	Initate monthly monitoring	5 days	Mon 10/28/24	Mon 11/4/24
42	Post monthly inspection report to the operating record	0 days	Fri 11/8/24	Fri 11/8/24
43	Post to CCR website	20 days	Mon 11/11/24	Fri 12/6/24



Project: EKPC CCR Program Timeline - CCR Surface Impoundment
Date: Thu 5/23/24

Task
Split
Milestone
Summary
Project Summary
Inactive Task
Inactive Milestone
Inactive Summary
Manual Task
Duration-only
Manual Summary Rollup
Manual Summary
Start-only
Finish-only
External Tasks
External Milestone
Deadline
Progress
Manual Progress

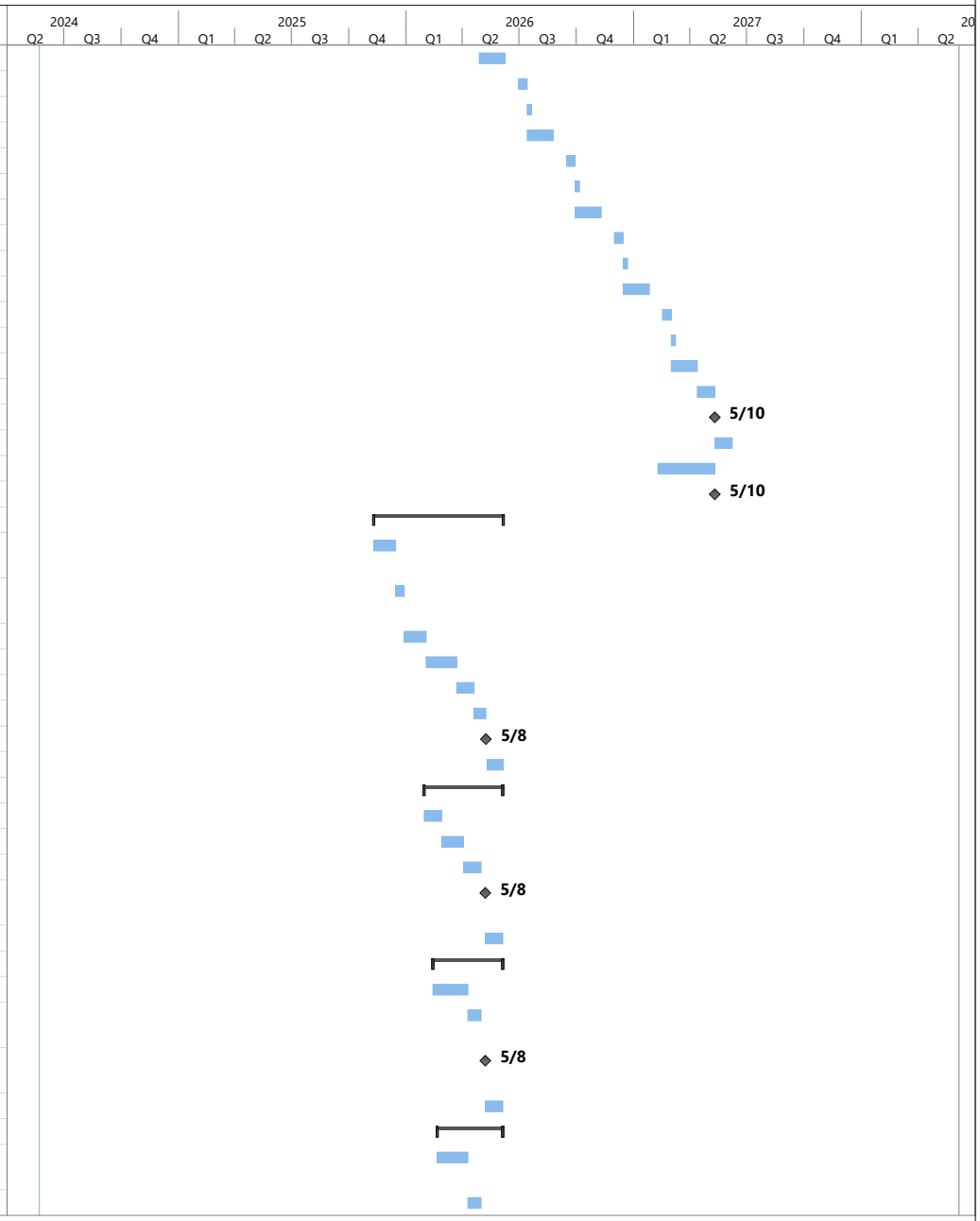
ID	Task Name	Duration	Start	Finish
44	**Install the groundwater monitoring system**	**695 days**	**Tue 10/8/24**	**Mon 6/7/27**
45	Develop GWM work plan	180 days	Tue 10/8/24	Tue 6/17/25
46	Execute GWM well installation	30 days	Tue 6/17/25	Tue 7/29/25
47	Develop GWM wells	30 days	Tue 7/29/25	Tue 9/9/25
48	Certify appropriate GW monitoring network	20 days	Tue 4/13/27	Mon 5/10/27
49	Post certification to operating record	0 days	Mon 5/10/27	Mon 5/10/27
50	Post to CCR website	20 days	Tue 5/11/27	Mon 6/7/27
51	**Develop the groundwater sampling and analysis program (GWSAP)**	**675 days**	**Tue 10/8/24**	**Mon 5/10/27**
52	Develop GWSAP	240 days	Tue 10/8/24	Mon 9/8/25
53	Review and complete GWSAP	65 days	Tue 9/9/25	Mon 12/8/25
54	Finalize GWSAP	65 days	Tue 2/9/27	Mon 5/10/27
55	Post GWSAP to operating record	0 days	Mon 5/10/27	Mon 5/10/27
56	**Complete initial structural stability assessment**	**95 days**	**Tue 10/29/24**	**Mon 3/10/25**
57	Assess site conditions, past/existing stablity evaluations, monitoring data, etc.	20 days	Tue 10/29/24	Tue 11/26/24
58	Conduct site inspection and review of conditions	20 days	Tue 11/26/24	Tue 12/24/24
59	Draft initial structural stability assessment demonstration	20 days	Tue 1/7/25	Tue 2/4/25
60	Post initial structural stabilty assessment report to operating record	0 days	Mon 2/10/25	Mon 2/10/25
61	Post to CCR website	20 days	Tue 2/11/25	Mon 3/10/25
62	**Complete the initial annual inspection of the CCR unit.**	**90 days**	**Mon 11/4/24**	**Fri 3/7/25**
63	Assess site conditions and performance throughout the year	25 days	Mon 11/4/24	Mon 12/9/24
64	Prepare initial annual inspection	40 days	Mon 12/9/24	Mon 2/3/25
65	Post initial annual inspection to operating record	0 days	Mon 2/10/25	Mon 2/10/25
66	Post to CCR website	20 days	Mon 2/10/25	Fri 3/7/25
67	**Compile a history of construction (HOC)**	**330 days**	**Tue 12/3/24**	**Mon 3/9/26**
68	Information Gathering (from EKPC, state/local agencies, etc.)	40 days	Tue 12/3/24	Mon 1/27/25
69	Evaluate information on site history and outline responses to HOC Demonstration	250 days	Tue 12/31/24	Tue 12/16/25
70	Prepare HOC Demonstration	35 days	Tue 12/16/25	Tue 2/3/26
71	Post HOC report to operating record	0 days	Mon 2/9/26	Mon 2/9/26
72	Post to CCR website	20 days	Tue 2/10/26	Mon 3/9/26
73	**Initiate the detection monitoring and assessment monitoring. Begin evaluating the groundwater monitoring data for SSI over background levels and SSL over GWPS**	**465 days**	**Tue 8/26/25**	**Mon 6/7/27**
74	Coordinate sampling of the GW monitoring network	10 days	Tue 8/26/25	Tue 9/9/25
75	Execute sampling of the GWMN #1	5 days	Tue 9/9/25	Mon 9/15/25
76	Evaluate GW monitoring data	30 days	Tue 9/9/25	Tue 10/21/25
77	Coordinate sampling of the GW monitoring network	10 days	Tue 11/11/25	Tue 11/25/25
78	Execute sampling of the GWMN #2	5 days	Tue 11/25/25	Mon 12/1/25
79	Evaluate GW monitoring data	30 days	Tue 11/25/25	Tue 1/6/26
80	Coordinate sampling of the GW monitoring network	10 days	Tue 1/27/26	Tue 2/10/26
81	Execute sampling of the GWMN #3	5 days	Tue 2/10/26	Mon 2/16/26
82	Evaluate GW monitoring data	30 days	Tue 2/10/26	Tue 3/24/26
83	Coordinate sampling of the GW monitoring network	10 days	Tue 4/14/26	Tue 4/28/26
84	Execute sampling of the GWMN #4	5 days	Tue 4/28/26	Mon 5/4/26



Project: EKPC CCR Program Timeline - CCR Surface Impoundment
Date: Thu 5/23/24

Task	Inactive Task	Manual Summary Rollup	External Milestone
Split	Inactive Milestone	Manual Summary	Deadline
Milestone	Inactive Summary	Start-only	Progress
Summary	Manual Task	Finish-only	Manual Progress
Project Summary	Duration-only	External Tasks	

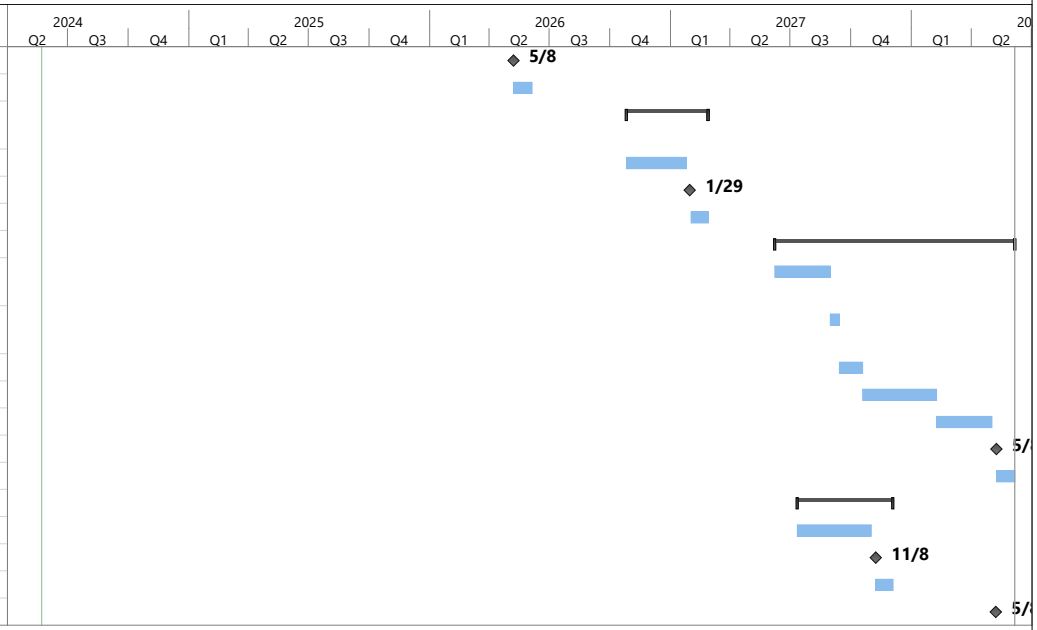
ID	Task Name	Duration	Start	Finish
85	Evaluate GW monitoring data	30 days	Tue 4/28/26	Tue 6/9/26
86	Coordinate sampling of the GW monitoring network	10 days	Tue 6/30/26	Tue 7/14/26
87	Execute sampling of the GWMN #5	5 days	Tue 7/14/26	Mon 7/20/26
88	Evaluate GW monitoring data	30 days	Tue 7/14/26	Tue 8/25/26
89	Coordinate sampling of the GW monitoring network	10 days	Tue 9/15/26	Tue 9/29/26
90	Execute sampling of the GWMN #6	5 days	Tue 9/29/26	Mon 10/5/26
91	Evaluate GW monitoring data	30 days	Tue 9/29/26	Tue 11/10/26
92	Coordinate sampling of the GW monitoring network	10 days	Tue 12/1/26	Tue 12/15/26
93	Execute sampling of the GWMN #7	5 days	Tue 12/15/26	Mon 12/21/26
94	Evaluate GW monitoring data	30 days	Tue 12/15/26	Tue 1/26/27
95	Coordinate sampling of the GW monitoring network	10 days	Tue 2/16/27	Tue 3/2/27
96	Execute sampling of the GWMN #8	5 days	Tue 3/2/27	Mon 3/8/27
97	Evaluate GW monitoring data	30 days	Tue 3/2/27	Tue 4/13/27
98	Certification of Statistical Methods	20 days	Tue 4/13/27	Mon 5/10/27
99	Post certification to operating record	0 days	Mon 5/10/27	Mon 5/10/27
100	Post to CCR website	20 days	Tue 5/11/27	Mon 6/7/27
101	Background App III & IV; GW monitoring statistical evaluation	65 days	Tue 2/9/27	Mon 5/10/27
102	Initiate detection and assessment monitoring	0 days	Mon 5/10/27	Mon 5/10/27
103	**Complete initial safety factor assessment**	**150 days**	**Mon 11/10/25**	**Fri 6/5/26**
104	Assess site conditions, past/existing stablity evaluations, monitoring data, etc.	25 days	Mon 11/10/25	Mon 12/15/25
105	Define field investigation and laboratory testing program and subcontract driller	10 days	Mon 12/15/25	Mon 12/29/25
106	Execute field investigation	25 days	Mon 12/29/25	Mon 2/2/26
107	Execute laboratory testing program	35 days	Mon 2/2/26	Mon 3/23/26
108	Conduct safety factor computations	20 days	Mon 3/23/26	Mon 4/20/26
109	Prepare safety factor assessment demonstration (or report)	15 days	Mon 4/20/26	Fri 5/8/26
110	Post initial safety factor report to operating record	0 days	Fri 5/8/26	Fri 5/8/26
111	Post to CCR website	20 days	Mon 5/11/26	Fri 6/5/26
112	**Prepare initial inflow design flood control system plan.**	**90 days**	**Fri 1/30/26**	**Thu 6/4/26**
113	Assess site conditions, surface conditions, rainfall data, etc.	20 days	Fri 1/30/26	Fri 2/27/26
114	Conduct inflow design	25 days	Fri 2/27/26	Fri 4/3/26
115	Draft inflow design flood control system plan	20 days	Fri 4/3/26	Fri 5/1/26
116	Post inflow design flood control system plan to operating record	0 days	Fri 5/8/26	Fri 5/8/26
117	Post to CCR website	20 days	Fri 5/8/26	Thu 6/4/26
118	**Complete initial hazard potential classification assessment**	**80 days**	**Fri 2/13/26**	**Thu 6/4/26**
119	Assess site conditions, evaluate innundation mapping, etc.	40 days	Fri 2/13/26	Fri 4/10/26
120	Based on site specific conditions, evaluate hazard potential classification and prepare report	15 days	Fri 4/10/26	Fri 5/1/26
121	Post initial hazard potential classification report to operating record	0 days	Fri 5/8/26	Fri 5/8/26
122	Post to CCR website	20 days	Fri 5/8/26	Thu 6/4/26
123	**Prepare emergency action plan.**	**75 days**	**Fri 2/20/26**	**Thu 6/4/26**
124	Assess site conditions, plant specific engagement approach with local agencies, etc.	35 days	Fri 2/20/26	Fri 4/10/26
125	Prepare emergency action plan	15 days	Fri 4/10/26	Fri 5/1/26



Project: EKPC CCR Program Timeline - CCR Surface Impoundment
Date: Thu 5/23/24

Task
Split
Milestone
Summary
Project Summary
Inactive Task
Inactive Milestone
Inactive Summary
Manual Task
Duration-only
Manual Summary Rollup
Manual Summary
Start-only
Finish-only
External Tasks
External Milestone
Deadline
Progress
Manual Progress

ID	Task Name	Duration	Start	Finish
126	Post emergency action plan to operating record	0 days	Fri 5/8/26	Fri 5/8/26
127	Post to CCR website	20 days	Fri 5/8/26	Thu 6/4/26
128	**Annual Groundwater Monitoring and Corrective Action (GWMCA) report**	**90 days**	**Mon 10/26/26**	**Fri 2/26/27**
129	Prepare GWMCA Report	65 days	Mon 10/26/26	Mon 1/25/27
130	Post GWMCA Report to operating record (1/31/27 is Sunday)	0 days	Fri 1/29/27	Fri 1/29/27
131	Post to CCR website	20 days	Mon 2/1/27	Fri 2/26/27
132	**Prepare written closure plan**	**260 days**	**Tue 6/8/27**	**Mon 6/5/28**
133	Initial assessment of water levels and 10% closure design / planning	60 days	Tue 6/8/27	Tue 8/31/27
134	Re-assess current closure status, presence of liquid, etc. to establish closure approach	10 days	Tue 8/31/27	Tue 9/14/27
135	Field and monitoring evaluation for the presence of liquid	25 days	Tue 9/14/27	Tue 10/19/27
136	Develop 30% design of closure	80 days	Tue 10/19/27	Tue 2/8/28
137	Prepare written closure plan	60 days	Tue 2/8/28	Tue 5/2/28
138	Post written closure plan to operating record	0 days	Mon 5/8/28	Mon 5/8/28
139	Post to CCR website	20 days	Tue 5/9/28	Mon 6/5/28
140	**Prepare written post-closure care plan.**	**105 days**	**Mon 7/12/27**	**Fri 12/3/27**
141	Prepare written post-closure care plan	80 days	Mon 7/12/27	Mon 11/1/27
142	Post written post-closure care plan to operating record	0 days	Mon 11/8/27	Mon 11/8/27
143	Post to CCR website	20 days	Mon 11/8/27	Fri 12/3/27
144	**Deadline to initiate closure of CCR-SI**	**0 days**	**Mon 5/8/28**	**Mon 5/8/28**



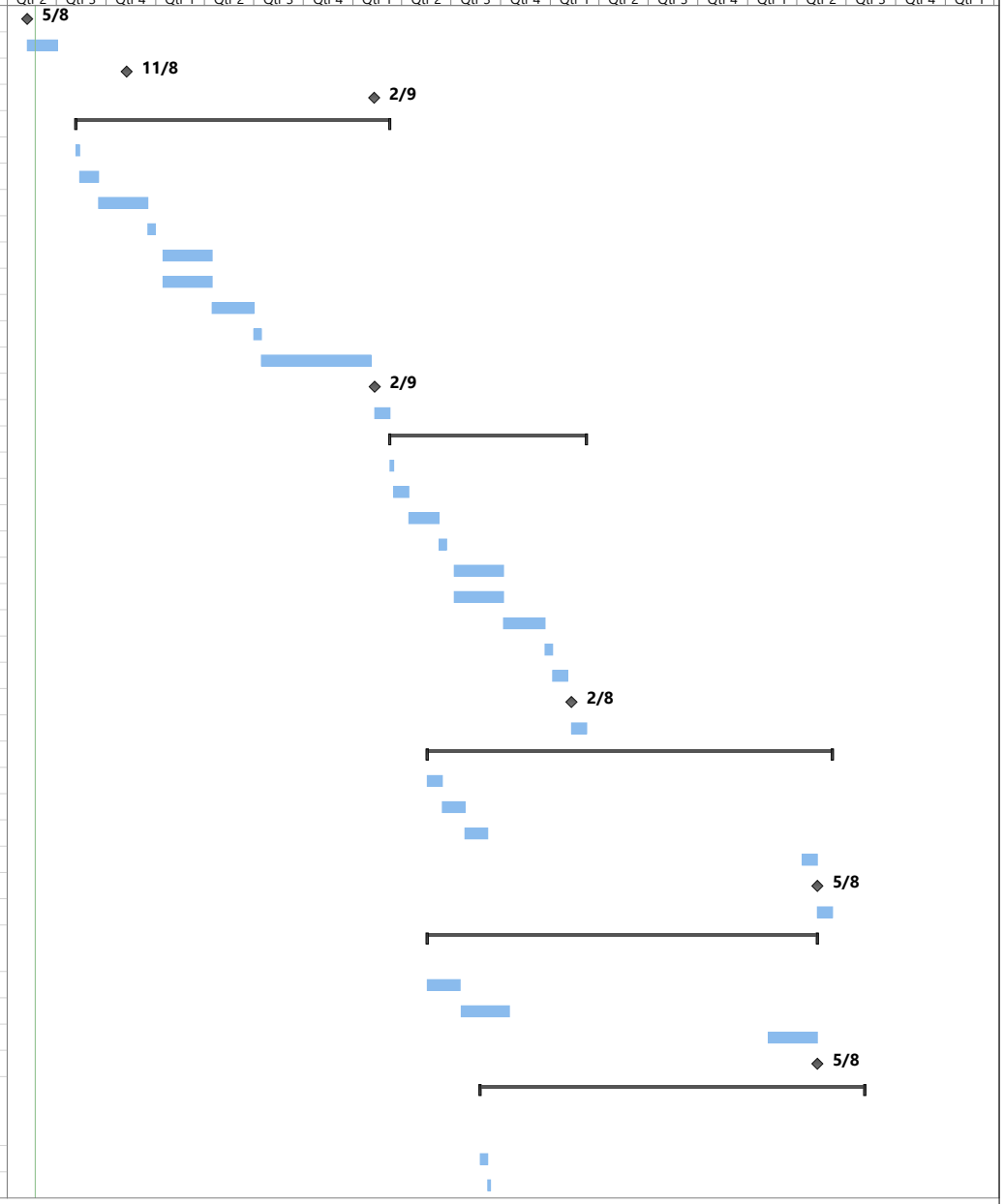
Project: EKPC CCR Program Timeline - CCR Surface Impoundment
Date: Thu 5/23/24

Task	Inactive Task	Manual Summary Rollup	External Milestone
Split	Inactive Milestone	Manual Summary	Deadline
Milestone	Inactive Summary	Start-only	Progress
Summary	Manual Task	Finish-only	Manual Progress
Project Summary	Duration-only	External Tasks	

DRAFT

Business Confidential Work Product - May change in accordance to DFR

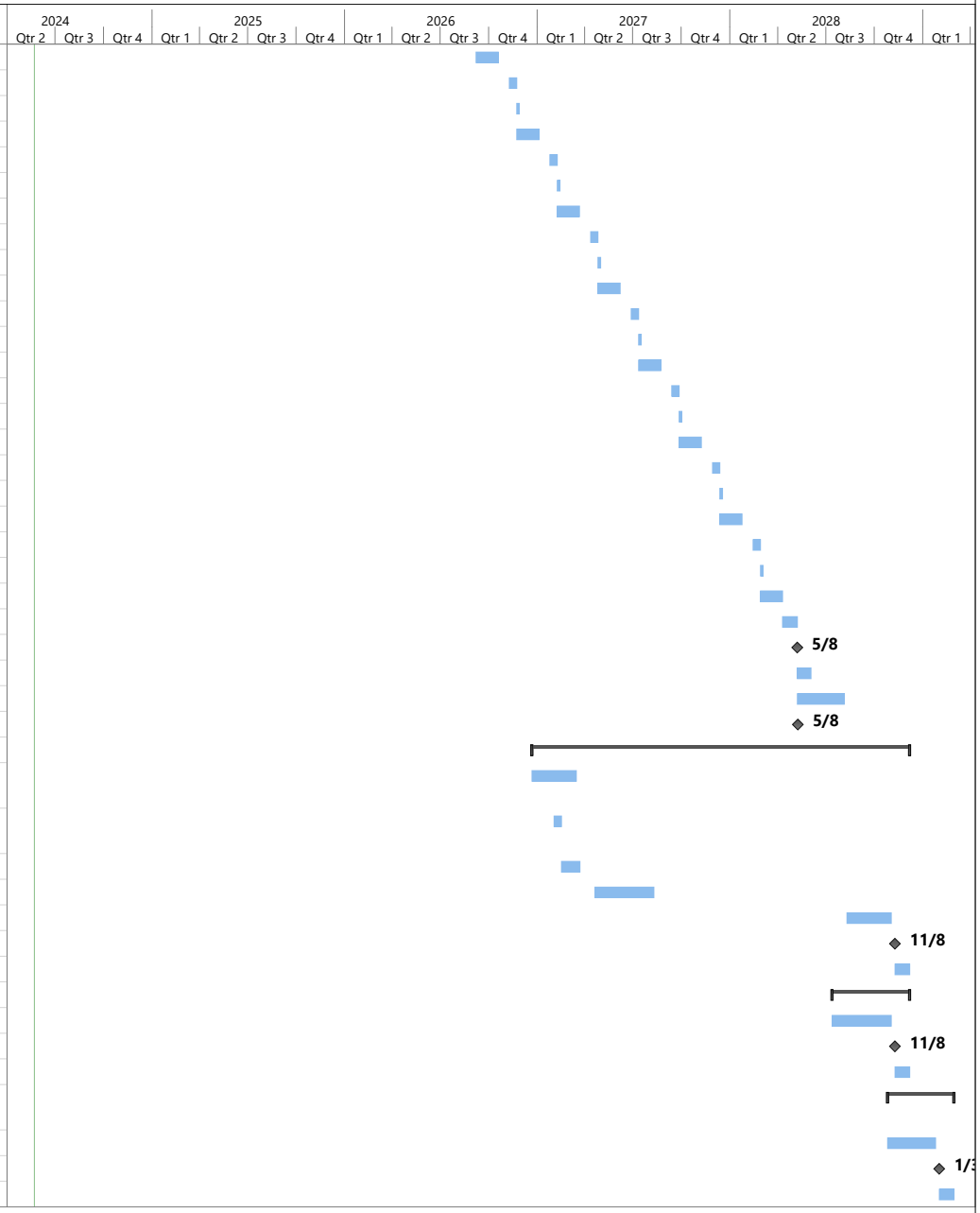
ID	Task Name	Duration	Start	Finish
1	Final Legacy CCR Rule Published	0 days	Wed 5/8/24	Wed 5/8/24
2	Review/Evaluate Final Rule Impacts	40 days	Wed 5/8/24	Tue 7/2/24
3	Effective date of the Final Legacy CCR SI Rule	0 days	Fri 11/8/24	Fri 11/8/24
4	Establish CCR website (CCRMU)	0 days	Mon 2/9/26	Mon 2/9/26
5	**Facility Evaluation Report - Part 1**	**415 days**	**Tue 8/6/24**	**Mon 3/9/26**
6	Develop Request for Information	5 days	Tue 8/6/24	Tue 8/13/24
7	Information Gathering (from EKPC, state/local agencies, etc.)	25 days	Tue 8/13/24	Tue 9/17/24
8	Information Evaluation	65 days	Tue 9/17/24	Tue 12/17/24
9	Physical Inspection	10 days	Tue 12/17/24	Tue 12/31/24
10	Compile Information and Develop DRAFT FER	65 days	Tue 1/14/25	Tue 4/15/25
11	Scope/Bid/Award Field Investigation	65 days	Tue 1/14/25	Tue 4/15/25
12	Field Investigation and laboratory testing	55 days	Tue 4/15/25	Tue 7/1/25
13	Compile Information and Develop revised DRAFT FER	10 days	Tue 7/1/25	Tue 7/15/25
14	Update/Finalize FER	145 days	Tue 7/15/25	Tue 2/3/26
15	Post FER to operating record	0 days	Mon 2/9/26	Mon 2/9/26
16	Post to CCR website	20 days	Tue 2/10/26	Mon 3/9/26
17	**Facility Evaluation Report - Part 2**	**260 days**	**Tue 3/10/26**	**Mon 3/8/27**
18	Develop Request for Information	5 days	Tue 3/10/26	Tue 3/17/26
19	Information Gathering (from EKPC, state/local agencies, etc.)	20 days	Tue 3/17/26	Tue 4/14/26
20	Information Evaluation	40 days	Tue 4/14/26	Tue 6/9/26
21	Physical Inspection	10 days	Tue 6/9/26	Tue 6/23/26
22	Compile Information and Develop DRAFT FER	65 days	Tue 7/7/26	Tue 10/6/26
23	Scope/Bid/Award Field Investigation	65 days	Tue 7/7/26	Tue 10/6/26
24	Field Investigation and laboratory testing	55 days	Tue 10/6/26	Tue 12/22/26
25	Compile Information and Develop revised DRAFT FER	10 days	Tue 12/22/26	Tue 1/5/27
26	Update/Finalize FER	20 days	Tue 1/5/27	Tue 2/2/27
27	Post FER to operating record	0 days	Mon 2/8/27	Mon 2/8/27
28	Post to CCR website	20 days	Tue 2/9/27	Mon 3/8/27
29	**Install the groundwater monitoring system**	**536 days**	**Mon 5/18/26**	**Mon 6/5/28**
30	Develop GWM work plan	20 days	Mon 5/18/26	Mon 6/15/26
31	Execute GWM well installation	30 days	Mon 6/15/26	Mon 7/27/26
32	Develop GWM wells	30 days	Mon 7/27/26	Mon 9/7/26
33	Certify appropriate GW monitoring network	20 days	Tue 4/11/28	Mon 5/8/28
34	Post certification to operating record	0 days	Mon 5/8/28	Mon 5/8/28
35	Post to CCR website	20 days	Tue 5/9/28	Mon 6/5/28
36	**Develop the groundwater sampling and analysis program (GWSAP)**	**516 days**	**Mon 5/18/26**	**Mon 5/8/28**
37	Develop GWSAP (without stats)	45 days	Mon 5/18/26	Fri 7/17/26
38	Review and complete GWSAP	65 days	Mon 7/20/26	Fri 10/16/26
39	Finalize GWSAP	65 days	Tue 2/8/28	Mon 5/8/28
40	Post GWSAP to operating record	0 days	Mon 5/8/28	Mon 5/8/28
41	**Initiate the detection monitoring and assessment monitoring. Begin evaluating the groundwater monitoring data for SSI over background levels and SSL over GWPS**	**510 days**	**Mon 8/24/26**	**Fri 8/4/28**
42	Coordinate sampling of the GW monitoring network	10 days	Mon 8/24/26	Mon 9/7/26
43	Execute sampling of the GWMN #1	5 days	Mon 9/7/26	Fri 9/11/26



Project: EKPC CCR Program Timeline - CCRMU
Date: Thu 5/23/24

Task
Split
Milestone
Summary
Project Summary
Inactive Task
Inactive Milestone
Inactive Summary
Manual Task
Duration-only
Manual Summary Rollup
Manual Summary
Start-only
Finish-only
External Tasks
External Milestone
Deadline
Progress
Manual Progress

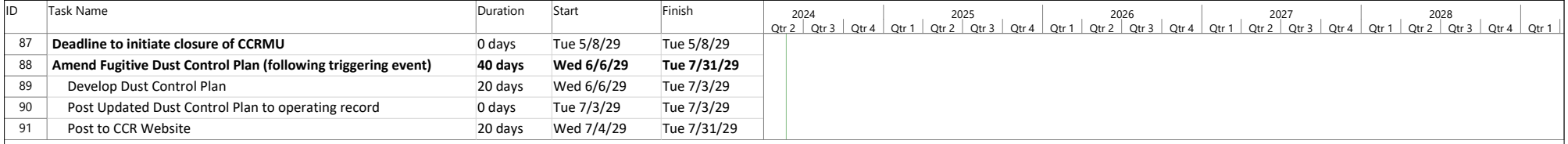
ID	Task Name	Duration	Start	Finish
44	Evaluate GW monitoring data	30 days	Mon 9/7/26	Mon 10/19/26
45	Coordinate sampling of the GW monitoring network	10 days	Mon 11/9/26	Mon 11/23/26
46	Execute sampling of the GWMN #2	5 days	Mon 11/23/26	Fri 11/27/26
47	Evaluate GW monitoring data	30 days	Mon 11/23/26	Mon 1/4/27
48	Coordinate sampling of the GW monitoring network	10 days	Mon 1/25/27	Mon 2/8/27
49	Execute sampling of the GWMN #3	5 days	Mon 2/8/27	Fri 2/12/27
50	Evaluate GW monitoring data	30 days	Mon 2/8/27	Mon 3/22/27
51	Coordinate sampling of the GW monitoring network	10 days	Mon 4/12/27	Mon 4/26/27
52	Execute sampling of the GWMN #4	5 days	Mon 4/26/27	Fri 4/30/27
53	Evaluate GW monitoring data	30 days	Mon 4/26/27	Mon 6/7/27
54	Coordinate sampling of the GW monitoring network	10 days	Mon 6/28/27	Mon 7/12/27
55	Execute sampling of the GWMN #5	5 days	Mon 7/12/27	Fri 7/16/27
56	Evaluate GW monitoring data	30 days	Mon 7/12/27	Mon 8/23/27
57	Coordinate sampling of the GW monitoring network	10 days	Mon 9/13/27	Mon 9/27/27
58	Execute sampling of the GWMN #6	5 days	Mon 9/27/27	Fri 10/1/27
59	Evaluate GW monitoring data	30 days	Mon 9/27/27	Mon 11/8/27
60	Coordinate sampling of the GW monitoring network	10 days	Mon 11/29/27	Mon 12/13/27
61	Execute sampling of the GWMN #7	5 days	Mon 12/13/27	Fri 12/17/27
62	Evaluate GW monitoring data	30 days	Mon 12/13/27	Mon 1/24/28
63	Coordinate sampling of the GW monitoring network	10 days	Mon 2/14/28	Mon 2/28/28
64	Execute sampling of the GWMN #8	5 days	Mon 2/28/28	Fri 3/3/28
65	Evaluate GW monitoring data	30 days	Mon 2/28/28	Mon 4/10/28
66	Certification of Statistical Methods	20 days	Mon 4/10/28	Mon 5/8/28
67	Post certification to operating record	0 days	Mon 5/8/28	Mon 5/8/28
68	Post to CCR website	20 days	Mon 5/8/28	Fri 6/2/28
69	Background App III & IV; GW monitoring statistical evaluation	65 days	Mon 5/8/28	Fri 8/4/28
70	Initiate detection and assessment monitoring	0 days	Mon 5/8/28	Mon 5/8/28
71	**Prepare written closure plan**	**512 days**	**Tue 12/22/26**	**Wed 12/6/28**
72	Initial assessment of water levels and 10% closure design/planning	60 days	Tue 12/22/26	Mon 3/15/27
73	Re-assess current closure status, presence of liquid, etc. to establish closure approach	10 days	Tue 2/2/27	Mon 2/15/27
74	Field and montioring evaluation for the presence of liquid	25 days	Tue 2/16/27	Mon 3/22/27
75	Develop 30% design of closure	80 days	Tue 4/20/27	Mon 8/9/27
76	Prepare written closure plan	60 days	Thu 8/10/28	Thu 11/2/28
77	Post written closure plan to operating record	0 days	Wed 11/8/28	Wed 11/8/28
78	Post to CCR website	20 days	Thu 11/9/28	Wed 12/6/28
79	**Prepare written post-closure care plan.**	**105 days**	**Thu 7/13/28**	**Wed 12/6/28**
80	Prepare written post-closure care plan	80 days	Thu 7/13/28	Thu 11/2/28
81	Post written post-closure care plan to operating record	0 days	Wed 11/8/28	Wed 11/8/28
82	Post to CCR website	20 days	Thu 11/9/28	Wed 12/6/28
83	**Annual Groundwater Monitoring and Corrective Action (GWMCA) report**	**90 days**	**Thu 10/26/28**	**Wed 2/28/29**
84	Prepare GWMCA Report	65 days	Thu 10/26/28	Thu 1/25/29
85	Post GWMCA Report to operating record	0 days	Wed 1/31/29	Wed 1/31/29
86	Post to CCR website	20 days	Thu 2/1/29	Wed 2/28/29



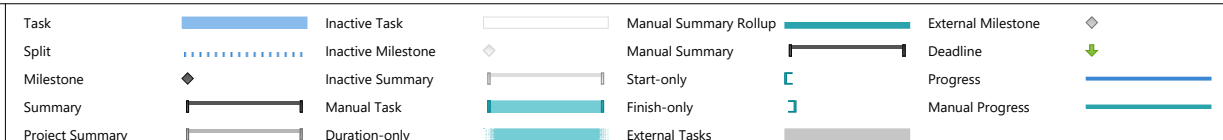
Project: EKPC CCR Program Timeline - CCRMU
Date: Thu 5/23/24

Task	Inactive Task	Manual Summary Rollup	External Milestone
Split	Inactive Milestone	Manual Summary	Deadline
Milestone	Inactive Summary	Start-only	Progress
Summary	Manual Task	Finish-only	Manual Progress
Project Summary	Duration-only	External Tasks	

ID	Task Name	Duration	Start	Finish
87	**Deadline to initiate closure of CCRMU**	0 days	Tue 5/8/29	Tue 5/8/29
88	**Amend Fugitive Dust Control Plan (following triggering event)**	**40 days**	**Wed 6/6/29**	**Tue 7/31/29**
89	Develop Dust Control Plan	20 days	Wed 6/6/29	Tue 7/3/29
90	Post Updated Dust Control Plan to operating record	0 days	Tue 7/3/29	Tue 7/3/29
91	Post to CCR Website	20 days	Wed 7/4/29	Tue 7/31/29



Project: EKPC CCR Program Timeline - CCRMU
Date: Thu 5/23/24



APPENDIX B – LEGACY CCR ASSET RETIREMENT OBLIGATIONS

Anticipated costs for 2025-2026 depending on results for Facility Evaluation Reports (FER)

East Kentucky Power Cooperative, Inc.
Legacy CCR Asset Retirement Obligations at 12/31/2024
Support for Estimated Costs

LSIs

Location - Dale Station

Requirements	Estimated Costs Utilized for ARO Calculation	Source of Estimated Costs
Applicablity Report or Closure Certification costs	$ 75,000.00	This represents an internal estimate to hire an outside consultant to perform this work.
GWM plan, installation, sampling and reporting costs	$ 1,220,000.00	This estimate provided by a third party. See Exhibit - EKPC Legacy CCR Compliance Plan
Total Estimated Costs	**$ 1,295,000.00**	

CCRMUs

Location - Cooper Station

Requirements	Estimated Costs Utilized for ARO Calculation	Source of Estimated Costs
FERs Part 1 & Part 2 costs	$ 475,000.00	Estimate includes cost proposal provided by a third party of just over $462K plus contingency estimate to derive the total estimated costs. See Exhibit - EKPC Legacy CCR Compliance Plan
Total Estimated Costs	$ 475,000.00	

Location - Spurlock Station

Requirements	Estimated Costs Utilized for ARO Calculation	Source of Estimated Costs
FERs Part 1 & Part 2 costs	$ 200,000.00	This represent an internal estimate to hire an outstide consultant to perform this work based on experience and assumptions about other sites.
Total Estimated Costs	$ 200,000.00	

Location - Smith Station

Requirements	Estimated Costs Utilized for ARO Calculation	Source of Estimated Costs
FERs Part 1 & Part 2 costs	$ 415,000.00	Estimate includes cost proposal provided by a third party of $333K plus contingency, as well as additional internally developed costs based on experience and assumptions for Smith to derive the total estimate. See Exhibit - EKPC Legacy CCR Compliance Plan
Total Estimated Costs	$ 415,000.00	

Location - Hancock Creek

Requirements	Estimated Costs Utilized for ARO Calculation	Source of Estimated Costs
FERs Part 1 & Part 2 costs	$ 350,000.00	Estimate includes cost proposal provided by a third party of $389K, but utilized $350K based upon proposal with some items removed for work that was not required for FER Part 2. See Exhibit - EKPC Legacy CCR Compliance Plan
Total Estimated Costs	$ 350,000.00	

Total Legacy CCR Estimated Costs Utilized for ARO Calculations

CCR Unit Class	Estimated Costs Utilized for ARO Calculation
LSI Total	$ 1,295,000.00
CCRMUs Total	**$ 1,440,000.00**
Total Estimated Costs	**$ 2,735,000.00**

CCR Legacy Rule Compliance Plan
Client: EKPC
Facility: Dale Station

Groundwater Monitoring Costs

Unit	Type	Networks	Notes
Ash Ponds 2 & 3	n/a	1	
Ash Pond 4	n/a	1	
Former Coal Yard	CCRMU	1	Req'd if Closure Certification unsuccessful for Former Ash Ponds
Switchyard	CCRMU		
Laydown Area	CCRMU		
KY1924	CCRMU	0	Req'd if Closure Certification unsuccessful for Former Ash Ponds; use network for Ash Ponds 2 & 3

Scope - Closure Certification	Cost per Network	No. of Networks	No. of Events	Cost
Install groundwater monitoring system, develop Sampling & Analysis Plan	$140,000	2	1	$280,000
Groundwater Sampling (10 events total - 8 background, 2 compliance)	$25,000	2	10	$500,000
Initial GWMCA Report (2024)	$10,000	2	1	$20,000
Annual GWMCA Report (4 total - 2025 thru 2028)	$40,000	2	4	$320,000
Closure Certification	$50,000	2	1	$100,000
Total Cost (Closure Certification)				**$1,220,000**

1) Costs are in 2024 dollars.
2) Costs assume 7 wells per network for 14 total wells; estimated well total depths between 30-40ft bgs; includes BMcD geologist oversight/expenses, sonic drilling well contractor, est. 14 days in field, well stickup surface completion with 4 bollards.
3) Additional wells and sampling may be necessary in the development of a fully compliant monitoring system
4) Sampling events include 2-person BMcD crew with expenses, 2 fleet trucks, 1 week per sampling event, assuming non-dedicated bladder pump; low-flow groundwater purging/sampling; one set of sampling equipment, lab analysis for Appx. III and Appx. IV analyses, 17 samples per event (14 MWs, 1 field duplicated, 1 matrix spike/matrix spike duplicate)
5) Groundwater networks will be required for CCRMUs if Closure Certifications are not successful.
6) Costs assume units remain in detection monitoring. Costs do not include groundwater remediation.

Closure Costs for Potential CCRMUs if Closure Certification unsuccessful for Former Ash Ponds

Unit	Area (ac)	Depth (ft)	Volume (cy)	Volume (tons)
Former Coal Yard	3.00	9.5	45,750	54,900
Switchyard	3.00	15.0	72,600	87,120
Laydown Area	0.50	10.5	8,500	10,200
KY1924	4.00	20.0	129,067	154,880

* Area and depth are based on preliminary assumptions and are not field verified

***Not utilized for 12/31/24 ARO calculation as not required unless closure certification is unsuccessful at Dale Station.**

CbR - Former Coal Yard					
Excavate, Haul, & Dipose of Material Offsite, Limited Grading and Site Restoration	54,900	TON	$100	$	5,490,000
Engineering, Permitting, & Owner Costs (10%)				**$**	**549,000**
Contingency (30%)				**$**	**1,647,000**
Total Cost				**$**	**7,686,000**

CiP - Former Coal Yard					
Grade to Drain, Install Cover System, Limited Dewatering	3.0	AC	$400,000	$	1,200,000
Engineering, Permitting, & Owner Costs (10%)				**$**	**120,000**
Contingency (30%)				**$**	**360,000**
Total Cost				**$**	**1,680,000**

Table 1
Proposal Budget Estimate John C. Sherman Cooper Power Station, Somerset, Kentucky

	2025 Budget Summary											2026 Budget Summary			Total
Category/Item	Task 1 Completion of FER Part 1	Task 2 Development of a Soil Boring Workplan	Task 3 Implement Soil Boring Workplan	Task 3 Contingency On-Site Investigation	Task 4 Fugitive Dust Control Plan Amendment	Task 9 Project Management and Meetings	2025 TOTAL	Task 5 Design and Install Groundwater Monitoring System	Task 5 Contingency Monitoring Well Installation	Task 6 Groundwater Sampling and Analysis Plan	Task 7 Monitoring Network Basis Report and Certification	Task 8 Completion of FER Part 2	Task 9 Project Management and Meetings	2026 TOTAL	PROJECT TOTAL
	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost
Geosyntec Labor Subtotal	**$ 36,810**	**$ 29,870**	**$ 40,242**	**$ 17,480**	**$ 7,216**	**$ 37,242**	**$ 168,860**	**$ 64,905**	**$ 25,808**	**$ 8,448**	**$ 45,126**	**$ 70,468**	**$ 35,130**	**$ 249,885**	**$ 418,745**
Subcontractors															
Drilling Subcontractor	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Excavation Subcontractor	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Utility Locator	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Subcontractors Subtotal	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
Expenses															
Travel Expenses	$ -	$ -	$ 3,588	$ 1,436	$ -	$ -	**$ 5,024**	$ 10,632	$ 4,340	$ -	$ -	$ -	$ -	**$ 14,972**	**$ 19,996**
Office Expenses	$ 240	$ 390	$ -	$ -	$ 60	$ -	**$ 690**	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**	**$ 690**
Field Expenses	$ -	$ -	$ 410	$ 620	$ -	$ -	**$ 1,030**	$ 6,260	$ 3,130	$ -	$ -	$ -	$ -	**$ 9,390**	**$ 10,420**
Communication Fee	$ 1,104	$ 896	$ 1,207	$ 524	$ 216	$ 1,117	**$ 5,066**	$ 1,947	$ 774	$ 253	$ 1,354	$ 2,114	$ 1,054	**$ 7,497**	**$ 12,562**
Expenses Subtotal	**$ 1,344**	**$ 1,286**	**$ 5,205**	**$ 2,580**	**$ 276**	**$ 1,117**	**$ 11,810**	**$ 18,839**	**$ 8,244**	**$ 253**	**$ 1,354**	**$ 2,114**	**$ 1,054**	**$ 31,859**	**$ 43,668**
PROJECT TOTAL	**$ 38,154**	**$ 31,156**	**$ 45,447**	**$ 20,060**	**$ 7,492**	**$ 38,360**	**$ 180,670**	**$ 83,744**	**$ 34,052**	**$ 8,701**	**$ 46,480**	**$ 72,582**	**$ 36,184**	**$ 281,744**	**$ 462,414**

Table 1
Proposal Budget Estimate for Federal CCR Legacy Rule Services at J.K. Smith Power Station, Trapp, Kentucky

	2025 Budget Summary							2026 Budget Summary							Total
Category/Item	Task 1 Completion of FER Part 1	Task 2 Development of a Soil Boring WP	Task 3 Implement Soil Boring Work Plan	Task 4 Fugitive Dust Control Plan Amendment	Task 9 Project Management & Meetings	Task 10 Contingency On-Site Investigation	2025 TOTAL	Task 5 Design and Implement Groundwater Monitoring System	Task 6 Groundater Sampling and Analysis Plan	Task 7 Monitoring Network Basis Report and Certification	Task 8 Completion of FER Part 2	Task 9 Project Management & Meetings	Task 10 Contingency On-Site Investigation	2026 TOTAL	PROJECT TOTAL
	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost	Cost
Geosyntec Labor Subtotal	**$ 28,486**	**$ 22,530**	**$ 30,746**	**$ 6,924**	**$ 31,155**	**$ 14,560**	**$ 134,401**	**$ 26,281**	**$ 8,642**	**$ 35,200**	**$ 58,195**	**$ 32,418**	**$ 8,404**	**$ 169,140**	**$ 303,541**
Subcontractors															
Drilling Subcontractor	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**	**$ -**
Excavation Subcontractor	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**	**$ -**
Utility Locator	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**	**$ -**
Subcontractors Subtotal	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
Expenses															
Travel Expenses	$ -	$ -	$ 4,456	$ -	$ -	$ 1,436	**$ 5,892**	$ 3,822	$ -	$ -	$ -	$ -	$ 1,102	**$ 4,924**	**$ 10,816**
Office Expenses	$ 210	$ 180	$ -	$ 60	$ -	$ -	**$ 450**	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**	**$ 450**
Field Expenses	$ -	$ -	$ 340	$ -	$ -	$ 620	**$ 960**	$ 6,260	$ -	$ -	$ -	$ -	$ 1,405	**$ 7,665**	**$ 8,625**
Communication Fee	$ 855	$ 676	$ 922	$ 208	$ 935	$ 437	**$ 4,032**	$ 788	$ 259	$ 1,056	$ 1,746	$ 973	$ 252	**$ 5,074**	**$ 9,106**
Expenses Subtotal	**$ 1,065**	**$ 856**	**$ 5,718**	**$ 268**	**$ 935**	**$ 2,493**	**$ 11,334**	**$ 10,870**	**$ 259**	**$ 1,056**	**$ 1,746**	**$ 973**	**$ 2,759**	**$ 17,663**	**$ 28,997**
PROJECT TOTAL	**$ 29,551**	**$ 23,386**	**$ 36,464**	**$ 7,192**	**$ 32,090**	**$ 17,053**	**$ 145,735**	**$ 37,151**	**$ 8,901**	**$ 36,256**	**$ 59,941**	**$ 33,391**	**$ 11,163**	**$ 186,803**	**$ 332,539**

Table 1
Proposal Estimate for Hancock Landfill, Winchester, Kentucky

	2025 Budget Summary							2026 Budget Summary						Total
	Task 1	Task 2	Task 3	Task 3	Task 4	Task 9		Task 5	Task 6	Task 7	Task 8	Task 9		
Category/Item	**Document Review and Completion of FER Part 1**	**Development of a Soil Boring/Test Pit Workplan**	**Implement Soil Boring/Test Pit Investigation Workplan**	**Contingency On-Site Investigation**	**Fugitive Dust Control Plan**	**Project Management and Meetings**	**2025 TOTAL**	**Design and Installation of a Groundwater Monitoring System**	**Groundnwater Sampling and Analysis Plan**	**Monitoring Network Basis Report and Certification**	**Completion of FER Part 2**	**Project Management and Meetings**	**2026 TOTAL**	**PROJECT TOTAL**
	Cost	**Cost**	**Cost**	**Cost**	**Cost**	**Cost**	**Cost**	**Cost**	**Cost**	**Cost**	**Cost**	**Cost**	**Cost**	**Cost**
Geosyntec Labor Subtotal	**$ 56,848**	**$ 21,816**	**$ 51,118**	**$ 16,462**	**$ 7,216**	**$ 35,205**	**$ 188,665**	**$ 29,305**	**$ 8,448**	**$ 40,880**	**$ 60,008**	**$ 29,406**	**$ 168,047**	**$ 356,712**
Subcontractors														
Drilling Subcontractor	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**
Excavation Subcontractor	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**
Utility Locator	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**	$ -	$ -	$ -	$ -	$ -	$ -	**$ -**
Subcontractors Subtotal	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**
Expenses														
Travel Expenses	$ 2,536	$ -	$ 6,108	$ 1,920	$ -	$ -	**$ 10,564**	$ 4,072	$ -	$ -	$ 2,536	$ -	**$ 6,608**	**$ 17,172**
Office Expenses	$ 480	$ 420	$ -	$ -	$ 60	$ -	**$ 960**	$ -	$ 60	$ 480	$ -	$ -	**$ 540**	**$ 1,500**
Field Expenses	$ -	$ -	$ 690	$ 480	$ -	$ -	**$ 1,170**	$ 1,645	$ -	$ -	$ -	$ -	**$ 1,645**	**$ 2,815**
Communication Fee	$ 1,705	$ 654	$ 1,534	$ 494	$ 216	$ 1,056	**$ 5,660**	$ 879	$ 253	$ 1,226	$ 1,800	$ 882	**$ 5,041**	**$ 10,701**
Expenses Subtotal	**$ 4,721**	**$ 1,074**	**$ 8,332**	**$ 2,894**	**$ 276**	**$ 1,056**	**$ 18,354**	**$ 6,596**	**$ 313**	**$ 1,706**	**$ 4,336**	**$ 882**	**$ 13,834**	**$ 32,188**
PROJECT TOTAL	**$ 61,569**	**$ 22,890**	**$ 59,450**	**$ 19,356**	**$ 7,492**	**$ 36,261**	**$ 207,019**	**$ 35,901**	**$ 8,761**	**$ 42,586**	**$ 64,344**	**$ 30,288**	**$ 181,881**	**$ 388,901**

Estimated & Legally Obligated Legacy CCR ARO Costs at 12/31/2024

LSIs

Project Number	A0371 Dale	
Applicablity Report or Closure Certification costs	$ 75,000.00	
CCR Website	immaterial	*in house*
Site Security	n/a	*contingent upon sampling*
Fugitive Dust Plan	n/a	*contingent upon sampling*
Fugitive Dust Report	n/a	*contingent upon sampling*
Weekly Inspections	n/a	*contingent upon sampling*
Weekly Monitoring	n/a	*contingent upon sampling*
Permanent Marker	n/a	*contingent upon sampling*
History of Construction	n/a	*contingent upon sampling*
Annual Inspection Report	n/a	*contingent upon sampling*
Hazard Potential Classification	n/a	*contingent upon sampling*
Structural Stability Assessment	n/a	*contingent upon sampling*
Safety Factor Assessment	n/a	*contingent upon sampling*
Emergency Action Plan	n/a	*contingent upon sampling*
Inflow Design Plan	n/a	*contingent upon sampling*
GWM plan		
GWM install	$ 1,220,000.00	*$1.22M - Closure Certification Only*
GWM sampling		
GWM reporting		
Closure plan	n/a	
Post Closure Plan	n/a	*contingent upon sampling*
Post Closure Care	n/a	*contingent upon sampling*
	$ 1,295,000.00	

CCRMUs

Dale will not have CCRMU if closure is certified

Project Number	A0371 Dale	A0370 Cooper	A0374 Spurlock	A0375 Smith	A0372 Hancock Creek	
FER Part 1		$ 175,000.00	$ 200,000.00	$ 165,000.00	$ 75,000.00	*will have to do regardless/closure cerfication*
FER Part 2	n/a	$ 300,000.00		$ 250,000.00	$ 275,000.00	*will have to do regardless/closure certifcation*
CCR Website	n/a	$ -	$ -	$ -	$ -	*inhouse, immaterial*
Fugitive Dust Report	n/a	n/a	n/a	n/a	n/a	*contingent upon if a CCRMU*
GWM plan	n/a	n/a	n/a	n/a	n/a	*contingent upon sampling, CCRMU status*
GWM install	n/a	n/a	n/a	n/a	n/a	*contingent upon sampling, CCRMU status*
GWM sampling	n/a	n/a	n/a	n/a	n/a	*contingent upon sampling, CCRMU status*
GWM reporting	n/a	n/a	n/a	n/a	n/a	*contingent upon sampling, CCRMU status*
Closure plan	n/a	n/a	n/a	n/a	n/a	*contingent upon sampling, CCRMU status*
Post Closure Plan	n/a	n/a	n/a	n/a	n/a	*contingent upon sampling, CCRMU status*
Post Closure Care	n/a	n/a	n/a	n/a	n/a	*contingent upon sampling, CCRMU status*
	$ -	$ 475,000.00	$ 200,000.00	$ 415,000.00	$ 350,000.00	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