

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

DEC 16 2015

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

Mr. Leonard Hopkins
Manager
Environmental and Fuels
Southern Illinois Power Cooperative
1153 Lake of Egypt Road
Marion, Illinois 62959

Dear Mr. Hopkins:

After the catastrophic release of coal ash from the Tennessee Valley Authority's Kingston, Tennessee facility in December 2008, the U.S. Environmental Protection Agency (EPA), in collaboration with the States, undertook a nationwide, comprehensive effort to assess the structural integrity of surface impoundments and similar units that contain coal combustion residuals. The purpose of the assessments was to determine whether the units were structurally stable, or whether any corrective measures were needed, and, if so, to work with each facility to secure its commitment to complete any necessary corrective measures.

The units at the Marion Power Station have been assessed by EPA contractors who are experts in dam safety, working under the direction of the EPA. You have received a final report containing recommendations for corrective measures or studies needed to ensure the ongoing structural integrity of your impoundments and you were asked to submit an action plan to the EPA setting out how you plan to implement the recommendations. We thank you for your cooperation throughout this process. The enclosed list shows that the Marion Power Station was assessed during assessment Round 10. Companies that own or operate facilities that were assessed during Rounds 1 thru 9 were sent a letter on August 13, 2013. Those letters can be found on EPA's website at <http://www3.epa.gov/epawaste/nonhaz/industrial/special/fossil/surveys2/index.htm>.

EPA's assessment effort was an extraordinary effort undertaken due to the critical need to ensure the structural integrity of these units. The EPA was able to bring dam safety experts in quickly and to subject these units to careful scrutiny. The assessments, analyses, reports, and recommendations constitute a critical body of information which serves all of us in our ongoing efforts to protect human health and the environment. For complete information on structural integrity assessments, analyses, reports, and recommendations, please visit EPA's website <http://www3.epa.gov/epawaste/nonhaz/industrial/special/fossil/surveys2/>.

The assessments, however, reflect the condition of each unit at the point in time during which the assessment took place. Going forward, an ongoing, routine program to assess these units and take any needed corrective measures is required to ensure the units' continued structural integrity. The continuing responsibility to ensure that these units are structurally sound lies with you. However, as you are aware,

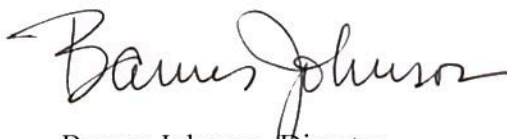
agencies within your State have an important role in the ongoing monitoring and oversight of these units. We are therefore providing all of the information that you have sent to the EPA to the appropriate State agency for their use in their routine monitoring and oversight of these units and expect that they will be the primary point of contact with respect to the continued oversight of these units. However, should the EPA become aware of a situation where there is a threat of release or other potential endangerment to human health or the environment, the EPA may take appropriate action. In such circumstances, the EPA will coordinate with your State agency to ensure that measures protective of human health and the environment are taken in a timely fashion.

As you are aware, in response to an EPA request, on August 28, 2013 you provided information regarding Ponds 1, 2, and 4 at the Marion Power Station. The information provided showed that the liquefaction potential for soils and materials under the design seismic event did not meet the minimum factors of safety used during EPA's assessment effort (i.e., a factor of safety of 1.0 or greater for post-liquefaction slope stability). In a letter dated March 11, 2015 you stated that a study shows "very little chance of any of these impoundments failing to hold their contents" due to the elevation of the water in the impoundments and the surrounding terrain that will prevent escape of water from any of the units. Until determined otherwise, the underlying potential for liquefaction-induced failure of these units remains a concern that should be addressed by taking necessary actions to ensure that these units will be structurally sound. Going forward, I ask that you give Ponds 1, 2 and 4 at the Marion Power Station particular attention and that you continue to work closely with the appropriate regulatory officials with the State of Illinois.

Finally, as you are aware, the EPA issued a final rule on April 17, 2015 that establishes a comprehensive set of requirements for the disposal of coal combustion residuals in surface impoundments (and landfills). Among the requirements, the rule establishes structural integrity criteria and requires certain owners and operators to conduct periodic structural integrity related assessments to help prevent the damage associated with structural failures of surface impoundments. Some of your units may be subject to the requirements in this rule which became effective on October 19, 2015. If you have any questions on any aspect of these new requirements, please call Patrick Kelly of my staff at (703) 308-7271. For more information on the final rule, please visit EPA's website: <http://www2.epa.gov/coalash/coal-ash-rule>.

We again thank you for your cooperation throughout the assessment process and encourage you to continue your efforts to ensure the structural integrity of these units.

Sincerely,



Barnes Johnson, Director
Office of Resource Conservation and Recovery

cc: Ms. Lisa Bonnett, Director, Illinois Environmental Protection Agency
Mr. Paul Mauer, Permit Engineer, Illinois Department of Natural Resources

Enclosure

List of Facilities Assessed by EPA

Company	Facility	Location	Round
Southern Illinois Power Coop	Marion Power Station	Marion, IL	10