

Black Dog CCR Impoundments Notification of Compliance with Closure and Post Closure Plan Requirements

The purpose of this document is to demonstrate compliance with 40 CFR 257.102(b) requirements to prepare a written closure plan and 40 CFR 257.104(d) requirements to prepare a written post-closure plan by April 17, 2018.

Northern States Power Company (NSP), an Xcel Energy Company, owns and operates Black Dog Generating Plant (Black Dog). Coal operations at Black Dog ceased on April 16, 2015. Three small impoundments used for collecting coal combustion residuals (CCRs) discontinued operations upon cessation of coal operations at the site and did not receive CCRs after October 19, 2015, the effective date of 40 CFR 257, and therefore met the definition of Inactive CCR Surface Impoundments subject to Closure and Post-Closure Care requirements under §257.100.

EPA adopted a Direct Final Rule which provided extended deadlines for CCR Surface Impoundments originally defined as inactive which subsequently became subject to additional requirements of the rule. The adoption of this CCR extension rule had the effect of adding to the closure obligation the requirement that the removal and decontamination of the CCR unit are complete when constituent concentrations throughout the CCR unit and any areas affected by releases from the CCR unit have been removed and groundwater monitoring concentrations do not exceed the groundwater protection standard established pursuant to 257.95(h) for constituents listed in appendix IV.

The removal of these impoundments was substantially completed before the October 4, 2016 effective date of EPA's CCR Extension Rule. Final closure by removal of these impoundments occurred on December 12, 2016. A formal CCR Surface Impoundment Closure Certification report was prepared for this site by a Qualified Professional Engineer on February 6, 2017. This report certified that these inactive impoundments were removed in accordance with 40 CFR 100(b)(5).

40 CFR 257.102(b) requires that the written closure plan describes the steps necessary to close the CCR unit consistent with recognized and generally accepted good engineering practices. For CCR impoundments originally defined as inactive, the extended deadline for preparation of the written closure plan is April 17, 2018. Since the removal of the impoundments has been completed a written closure plan for these ponds is not required. NSP is implementing a groundwater monitoring program at these impoundments to meet the requirement for verification that groundwater monitoring concentrations do not exceed the groundwater protection standard established pursuant to 257.95(h) for constituents listed in Appendix IV. NSP anticipates the completion of the groundwater monitoring report for this site prepared in accordance with 257.90(e) before August 1, 2019.

In accordance with the requirements for the written post-closure plan, as described in 40 CFR 257.104(d)(2) and (3), CCR units that elect to close by removing the CCR as provided by 40 CFR 257.102(c) are not subject to the post closure care criteria.

Any questions regarding this post should be submitted to our CCR rule inbox at NSPCCRInquiries@xcelenergy.com