Coal Combustion Residual (CCR) Rule
11/4/15
Final Rule promulgated 4/17/15

- Coal ash regulated as a non-hazardous waste
- Self-implementing
  - Effective date 10/19/15
  - Enforcement through citizens suits
  - Includes numerous requirements for ash ponds
    - structural integrity & location requirements
    - liner & operating requirements
    - groundwater monitoring requirements
    - closure requirements
    - post closure requirements
Structural Integrity & Location Requirements

- **Structural Integrity**
  - History of construction
  - Dam safety inspection every 5 years
  - Dam safety factor assessment every 5 years
  - Dam hazard potential assessment & Emergency Action Plan (EAP)
  - Permanent pond identification signs

- **Location**
  - 5’ above uppermost aquifer
  - Not in wetland
  - Not in fault area
  - Not in seismic impact zone
  - Not in unstable area
Liner Requirements

- Prescribed composite liner (30 mil synthetic liner over 2’ of compacted clay)

- Alternative liner demonstration allowed

- Existing ponds that cause groundwater impacts must be closed or retrofitted (lined)
Operating Requirements

- Create & maintain CCR website
  - https://www.talenenergy.com/generation/fossil-fuels/scr-colstrip

- Fugitive Dust Control Plan

- Inflow Design Flood Control Plan

- Weekly Inspections

- Annual & 5-year Dam Safety Inspections
Groundwater Monitoring Requirements

- Develop groundwater monitoring program
  - Locate monitoring wells at perimeter of ponds
  - Water quality above drinking water standards (MCL) or background
    - Requires corrective action & cleanup within 90 days
    - Requires notification of landowners
    - Requires closure of unlined ponds
Post Closure Care Requirements

- Post Closure Care must be conducted for 30 years
- Maintain integrity & effectiveness of final cap & cover
- Maintain groundwater monitoring & mitigation systems until groundwater quality meets MCL’s or background