



**OHIO VALLEY ELECTRIC CORPORATION**  
3932 U. S. Route 23  
P. O. Box 468  
Piketon, Ohio 45661  
740-289-7200

WRITER'S DIRECT DIAL NO:  
740-897-7768

July 22, 2019

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Ms. Laurie Stevenson, Director  
Ohio Environmental Protection Agency  
50 West Town Street, Suite 700  
P.O. Box 1049  
Columbus, OH 43216-1049

Dear Ms. Stevenson:

**Re: Ohio Valley Electric Corporation**  
**Request for 60-Day Extension for Assessment of Corrective Measures**

As required by 40 CFR 257.106(h)(7), on May 15, 2019 the Ohio Valley Electric Corporation (OVEC) provided notification to the Director of the Ohio Environmental Protection Agency that an Assessment of Corrective Measures had been initiated for a confirmed Statistically Significant Increase (SSI) of Appendix IV constituent Arsenic at Kyger Creek Station's Boiler Slag Pond. Site specific conditions and/ or circumstances outside OVEC control resulted in considerable delays in site characterization activities being performed in support of the Assessment of Corrective Measures.

40 CFR 257.96(a) of the rule allows for an extension to the timeline of Assessment of Corrective Measures of no more than 60 days. Due to the delays encountered during site characterization activities it is OVEC's intention to utilize the permitted 60-day extension at this time. A report detailing the circumstances encountered that contributed to the delay was prepared by AGES, Inc. and certified by Stantec, OVEC's Qualified Professional Engineer. The report was placed in the facility's operating record as well as on the company's publically accessible internet site, and can be viewed at <http://www.ovec.com/CCRCompliance.php>

If you have any questions, or require any additional information, please call me at (740) 897-7768.

Sincerely,

A handwritten signature in black ink that reads "Tim Fulk".

Tim Fulk  
Engineer II

TLF:klr



Stantec Consulting Services Inc.  
11687 Lebanon Road, Cincinnati OH 45241-2012

July 16, 2019  
File: 175534017, 200.201

Ohio Valley Electric Corporation  
Attention: Mr. Gabriel Coriell  
3932 U.S. Route 23  
P.O. Box 468  
Piketon, Ohio 45661

**Reference: Request for 60-Day Extension for an Assessment of Corrective Measures  
Boiler Slag Pond  
EPA Final Coal Combustion Residuals (CCR) Rule  
Kyger Creek Station  
Cheshire, Gallia County, Ohio**

Dear Mr. Coriell,

This letter documents Stantec Consulting Services Inc.'s (Stantec's) certification of a 60-day extension for the assessment of corrective measures for the Ohio Valley Electric Corporation (OVEC) Kyger Creek Station's Boiler Slag Pond groundwater system in accordance with 40 CFR 257.96(a). Stantec personnel have reviewed AGES's request for a 60-day extension (see attached letter) based on site-specific conditions or circumstances and is in agreement with its findings.

**PROFESSIONAL ENGINEER CERTIFICATION**

I, Jacqueline S. Harmon, being a Professional Engineer in good standing in the State of Ohio, do hereby certify, to the best of my knowledge, information, and belief that the information contained in AGES's July 16<sup>th</sup> letter was prepared in accordance with the reasonable skill and diligence required by customarily accepted professional practices and procedures normally provided in the performance of the services at the time when and the location in which the services were performed.

SIGNATURE           *Jacqueline S. Harmon*          

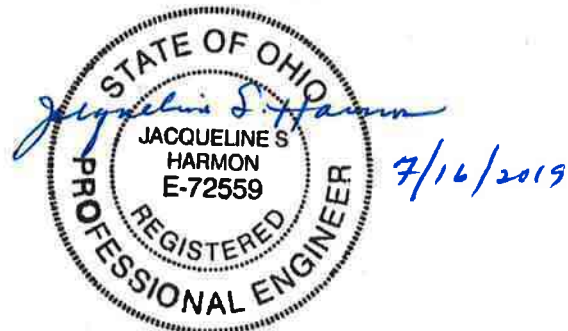
DATE           7/16/2019          

ADDRESS: Stantec Consulting Services Inc.  
11687 Lebanon Road  
Cincinnati, Ohio 45241

TELEPHONE: (513) 842-8200

ATTACHMENTS: Applied Geology and Environmental Science, Inc. (AGES) (2019). Letter from Robert W. King, PG to Jacqueline Harmon, P.E., RE: Request for 60-Day Extension for an Assessment of Corrective Measures for CCR Program-2019, Ohio Valley Electric Corporation (OVEC), Boiler Slag Pond – Kyger Creek Station – Cheshire, OH. July 16.

c. John Griggs, Steve Bickel (Stantec)



July 16, 2019

Ms. Jacqueline Harmon P.E.  
Senior Associate, Project Manager  
Stantec  
11687 Lebanon Road  
Cincinnati OH 45241-2012

**RE: Request for 60-Day Extension for an Assessment of Corrective Measures  
for CCR Program-2019  
Ohio Valley Electric Corporation (OVEC)  
Boiler Slag Pond – Kyger Creek Station – Cheshire, Ohio**

Dear Ms. Harmon:

On behalf of Applied Geology and Environmental Science (AGES), Inc., I would like to thank you for the opportunity to submit this request for an extension for the above-referenced project.

**BACKGROUND**

On December 19, 2014, the United States Environmental Protection Agency (U.S. EPA) issued their final Coal Combustion Residuals (CCR) regulation which regulates CCR as a non-hazardous waste under Subtitle D of Resource Conservation and Recovery Act (RCRA) and became effective six (6) months from the date of its publication (April 17, 2015) in the Federal Register, referred to as the “CCR Rule.” The rule applies to new and existing landfills, and surface impoundments used to dispose of or otherwise manage CCR generated by electric utilities and independent power producers.

The Ohio Valley Electric Corporation (OVEC) contracted with Applied Geology and Environmental Science, Inc. (AGES) to administer the CCR Rule groundwater monitoring program at the Kyger Creek Station located in Cheshire, Gallia County, Ohio. The following three (3) CCR units were identified at the Kyger Creek Station:

- Class III Residual Waste Landfill (Landfill);
- Boiler Slag Pond (BSP); and
- South Fly Ash Pond (SFAP).

Based on groundwater monitoring conducted to date, no Statistically Significant Increases (SSIs) have been identified for Appendix III constituents at the Landfill. SSIs have been identified for Appendix III constituents at the SFAP. However, an Alternate Source Demonstration (ASD) is currently being developed for the SFAP. No further action will therefore be required for the SFAP.

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As SSIs for Appendix III parameters were identified for the BSP, the unit entered into Assessment Monitoring in 2018. Statistical evaluations of the Assessment Monitoring data identified potential SSIs of Appendix III and Appendix IV constituents in three (3) wells: KC-15-04, KC-15-05 and KC-15-07. Per the CCR Rule, the wells were re-sampled and Appendix III (Calcium, Sulfate and TDS) SSIs and Appendix IV SSIs (Arsenic and Radium) were confirmed. Based on these results, OVEC established a Groundwater Protection Standard (GWPS) of 10 µg/L for Arsenic and 5 pCi/L for Radium (Appendix IV constituent) and conducted further statistical analyses. Based on these analyses, Arsenic concentrations in well CF-15-07 were determined to be present at a Statistically Significant Level (SSL) greater than the GWPS. Radium concentrations were not present at an SSL greater than the GWPS.

The CCR Rule in 40 CFR § 257.96(a) requires that an owner or operator initiate an Assessment of Corrective Measures for any Appendix IV constituent that has been detected at an SSL greater than the GWPS and complete the assessment within 90 days after initiation. The CCR Rule allows up to an additional 60 days to complete the assessment if a demonstration shows that more time is needed because of site-specific conditions or circumstances. This demonstration must be certified by a qualified Professional Engineer.

The purpose of this letter is to present documentation regarding the delays in CCR field work at the BSP that will result in the need for a 60-day extension for the Assessment of Corrective Measures at the unit. Presented below is a discussion of these delays; additional documentation is included in Attachments A and B.

## **SUMMARY OF DELAYS**

Based on statistical results available in mid-January 2019, OVEC determined that site characterization activities and an Assessment of Corrective Measures would be required for the BSP. Project field planning began the week of January 21, 2019 (Attachment A). Three (3) soil borings were planned to be conducted within the BSP to evaluate the material placed in the BSP. In addition, three (3) new monitoring wells were planned to evaluate groundwater quality at the site boundary along the Ohio River. The field work was scheduled to begin in early February.

As documented in Attachments A and B, contractor and weather issues contributed to delays in acquisition of data necessary to complete the Assessment of Corrective Measures. A qualified drilling contractor was needed to safely and efficiently complete the installation of additional monitoring wells. Despite AGES contacting several contractors, none were available to perform the work during the planned start date in early February. In addition, during the week of March 18, the drilling contractor on site demobilized the drill rig without advance notice causing further delays as AGES tried to find an available qualified driller to complete the work. As shown in Attachment B, very high rainfall also occurred at the site during the weeks of February 3, 18, 25

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and March 11. As a result, field work could not have been conducted safely, even if a contractor had been available.

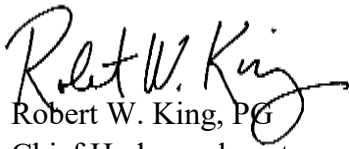
As documented in Attachments A and B, the contractor and weather issues created more than one (1) month of unforeseeable delays in data acquisition. Without delays, a schedule of 90-days to complete an Assessment of Corrective Measures for groundwater at a unit like the BSP is extremely aggressive. Based on past experience, a project like this would typically require several months or longer to complete. Given this already aggressive schedule and the delays documented above, on behalf of OVEC, AGES is hereby requesting approval of a 60-day extension to the schedule to complete an Assessment of Corrective Measures at the BSP.

### **CLOSING**

If you have any questions or comments regarding this request, please feel free to contact me at 412-264-6453.

Sincerely,

**APPLIED GEOLOGY AND ENVIRONMENTAL SCIENCE, INC.**

  
Robert W. King, PG  
Chief Hydrogeologist

**ATTACHMENT A**

**Summary of Project Delays-CCR Site Characterization Work  
Boiler Slag Pond - Kyger Creek Station  
Monitoring Well Installation, Development & Sampling (Critical Path)  
July 16, 2019**

*Start Date:* GWPS Exceedance for Arsenic Identified: **Mid-January 2019**

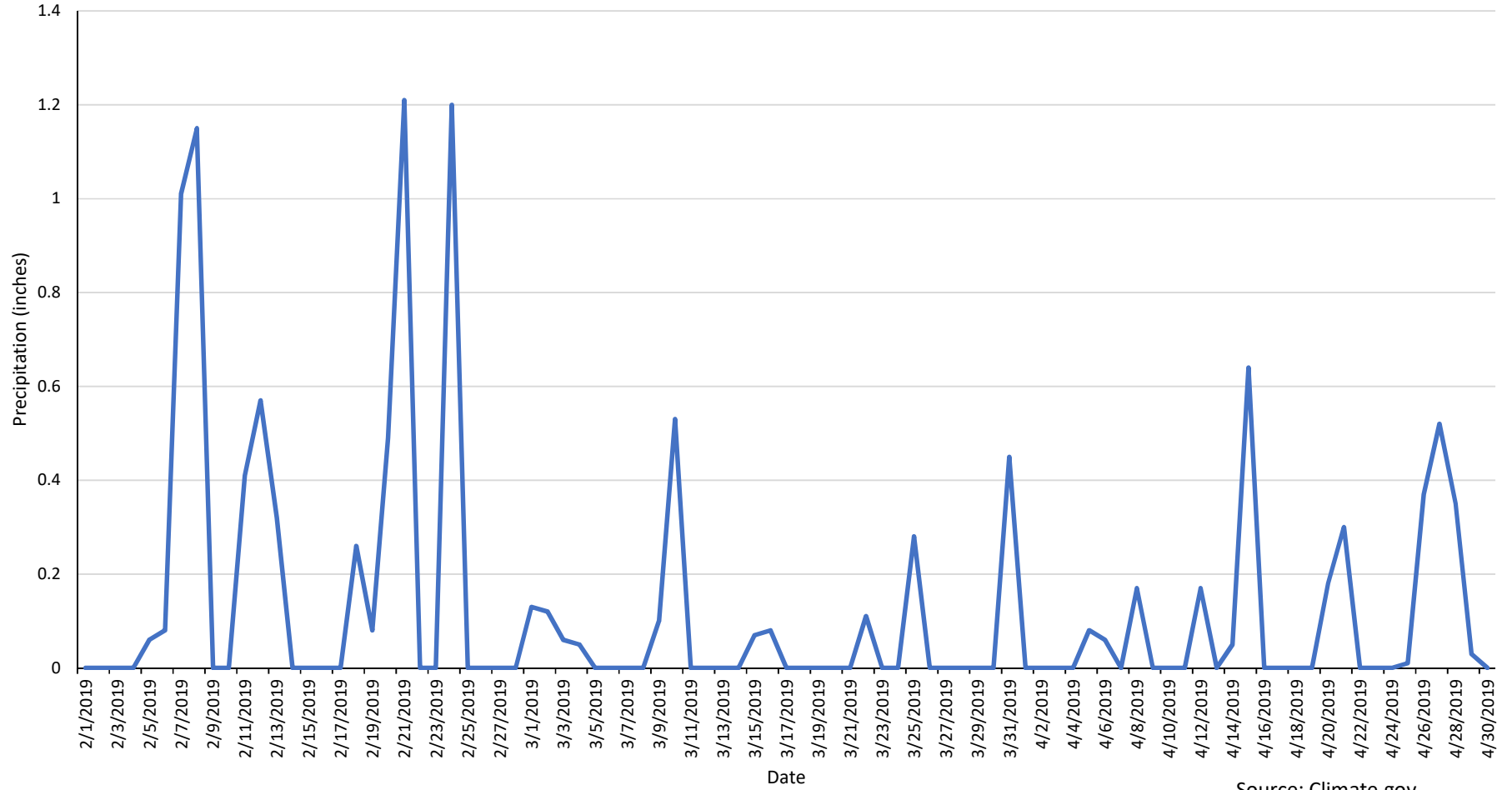
WEEK OF	FIELD ACTIVITY
January 21 - February 4, 2019	Start-Up Weeks (No Delays)
February 11, 2019	No Well Drilling Field Work Contractors Not Available <b>Contacted Bowser-Morner Drilling, HAD Drilling, Cindrill, Inc., &amp; Terra Testing</b> Due to High Rainfall in Area—Field Work Could Not have been Conducted (7 days lost)
February 18, 2019	No Well Drilling Field Work Contractors Not Available Due to High Rainfall in Area—Field Work Could Not have been Conducted (7 days lost)
February 25, 2019	No Well Drilling Field Work Contractors Not Available Due to High Rainfall in Area—Field Work Could Not have been Conducted (7 days lost)
March 4, 2019	Contractor Available (Bowser-Morner) Opted to Begin Work at Clifty Creek Station (No Delays)
March 11, 2019	Contractor (Bowser-Morner) Finished Work at Clifty Creek Station Due to High Rainfall in Area—Field Work Could Not have been Conducted (7 days lost)

<b>WEEK OF</b>	<b>FIELD ACTIVITY</b>
March 18, 2019	Due to Schedule Conflict, Bowser-Morner Rig De-Mobilized from Site Without Advance Notice (7 days lost)
March 25, 2019	No Well Drilling Field Work Contractors Not Available <b>Contacted HAD Drilling, Cindrill, Inc. &amp; Terra Testing</b> (7 days lost)
April 1, 2019	Complete Well Drilling Field Work (Cindrill & HAD) (No Delays)
April 8, 2019	Well Development (No Delays)
April 15, 2019	Well Sampling (No Delays)
<b>Total Days Lost To Date:</b>	<b>42 Days</b>



**ATTACHMENT B**

Daily Precipitation  
Belleville Lock and Dam  
Belleville, WV



Source: Climate.gov