

**State of Kansas
Department of Health and Environment**

Public Notice

Westar Jeffrey Energy Center

Modification of Industrial Landfill Permit 359

On April 17, 2015, the Environmental Protection Agency (EPA) promulgated Resource Conservation and Recovery Act (RCRA) Subtitle D regulations regarding the management of Coal Combustion Residuals (CCR) generated by electrical utilities. This new rule, effective October 19, 2015, establishes minimum standards for the management and disposal of CCR by the generators of these industrial wastes. The requirements of the rule will be phased in over a multi-year period. EPA's CCR regulations are applicable to the CCR management practices at the Westar Jeffrey Energy Center, which has been and will continue to be regulated under Kansas state laws, regulations, and permits.

The Kansas Department of Health and Environment (KDHE) has issued a solid waste permit to Westar Jeffrey Energy Center authorizing the on-site disposal of CCRs. The Westar facility is located on approximately 2,000 acres located in Sections 12 and 1, Township 9 South, Range 11 East, and Sections 6 and 7, Township 9 South, Range 12 East in Pottawatomie County. Solid waste permit 359 covers several active and closed landfills and surface impoundments in which CCR materials are and have been historically disposed. Existing areas that have been used as staging areas containing CCR piles will be incorporated into Permit 359 by this proposed permit action. These areas will be closed with CCR left in place or by removal of all CCR. No new surface impoundments or landfills will be added to the facility's operational practices by this action. This proposed modified permit will result in a higher level of regulatory oversight by KDHE for all CCR units subject to EPA's 2015 CCR

rules.

KDHE will consider information received during the public comment period prior to finalizing this permit action. The modified draft permit and a site diagram, which delineates the CCR units associated with this proposed permit action, will be available for public review at www.kdheks.gov/waste from September 10, 2015 through October 12, 2015. Anyone wishing to comment on the proposed modification should submit written comments by 5:00 PM on October 12, 2015 to Sam Sunderraj of KDHE at 1000 SW Jackson St., Suite 320 Topeka, Kansas 66612-1366, or via facsimile to (785) 296-1592, or via e-mail to ssunderraj@kdheks.gov. Comments that are postmarked by October 12, 2015 and received at KDHE's Topeka offices by close of business October 14, 2015 will be considered.

After consideration of all formal comments, KDHE will finalize the permit modification and provide notice of the decision to the permittee, anyone who submitted formal comments, and anyone who requested notice of the final permit decision.

Susan Mosier, MD

Secretary

Kansas Department of Health and Environment