

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

**Public Notice**

**Westar Tecumseh Energy Center**

**Modification of Industrial Landfill Permit 322**

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 Tecumseh 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 Tecumseh Energy Center authorizing the on-site disposal of CCRs. The Westar facility is located on approximately 200 acres located in Section 31, Township 11 South, Range 17 East, in Shawnee County. Solid waste permit 322 is an active landfill in which dry CCR materials (bottom ash and fly ash) are disposed. Surface impoundments that have received varying amounts of CCRs over many years of operation will be incorporated into Permit 322 by this proposed permit action. 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](http://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](mailto: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