

40 C.F.R. § 257.94(e)(3) NOTIFICATION FOR ESTABLISHMENT OF ASSESSMENT MONITORING PROGRAM PRIMARY ASH POND NEWTON POWER PLANT

July 6, 2022

In accordance with Title 40 of the Code of Federal Regulations (40 C.F.R.) § 257.94(e), the owner or operator of a coal combustion residuals (CCR) unit must establish an assessment monitoring program meeting the requirements of 40 C.F.R. § 257.95 if a statistically significant increase (SSI) over background groundwater quality is identified by the detection monitoring program, and prepare a notification stating that an assessment monitoring program has been established. The notification must be placed in the facility's operating record within 30 days of establishing an assessment monitoring program (40 C.F.R. § 257.105(h)(5)).

Comparison of background groundwater quality with concentrations of parameters in compliance monitoring wells observed during the November 2021 Detection Monitoring Program sampling event identified an SSI for one or more 40 C.F.R. § 257 Appendix III parameters at the Newton Power Plant Primary Ash Pond.

As allowed by 40 C.F.R. § 257.94(e)(2), the following were evaluated as potential alternate sources for each SSI:

- Error in sampling and analysis protocol
- Error in statistical analysis
- Natural causes
- Anthropogenic causes

These evaluations were not conclusive in demonstrating an alternate source for the SSI.

Consequently, and in accordance with 40 C.F.R. § 257.94(e), an assessment monitoring program in accordance with 40 C.F.R. § 257.95 was established by June 6, 2022, for Newton Power Plant Primary Ash Pond.