

Memorandum

To: Brandon Schafer, Andy McDonald, Montana-Dakota Utilities
From: Paul Swenson
Subject: Lewis & Clark Station Scrubber Ponds, Notification of Closure
Date: December 18, 2023
Project: 26411007

Montana-Dakota Utilities (MDU) undertook closure by removal activities in 2022 to close the Scrubber Ponds at Lewis & Clark Station near Sidney, Montana, in accordance with 40 CFR Part 257, Disposal of Coal Combustion Residuals from Electric Utilities, § 257.102 (c). The Scrubber Ponds are determined to be a multi-unit, single coal combustion residuals (CCR) surface impoundment unit under 40 CFR Part 257. Closure by removal construction was completed in conformance with the April 11, 2022, notification that MDU posted on its CCR website. Construction activities were substantially completed October 4, 2022.

Closure construction for the CCR surface impoundment was conducted in accordance with the Closure Plan for Existing CCR Units, Scrubber Ponds, Amendment 1, Lewis & Clark Station, prepared by Barr Engineering Co., February 2022.

Groundwater samples were collected from the CCR unit groundwater monitoring system and analyzed after completion of closure construction activities, once in fall 2022 and once in spring 2023. Assessment of groundwater sampling results demonstrates that groundwater concentrations do not exceed the groundwater protection standard established pursuant to § 257.95(h) for constituents listed in Appendix IV to 40 FCR Part 257. An Alternative Source Demonstration (ASD) for Lithium, Spring 2023, completed and certified by a qualified professional engineer (QPE) on November 20, 2023, determined that elevated lithium concentrations detected in downgradient wells were not caused by the CCR unit. Therefore, it is determined that the Scrubber Ponds have been closed in accordance with the requirements of 40 CFR § 257.102, closure by removal of CCR procedures established in paragraph (c).

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I hereby certify that closure of the Scrubber Ponds at MDU's Lewis & Clark Station has been completed in accordance with the closure plan specified in paragraph 40 CFR § 257.102 (b) and the requirements of 40 CFR § 257.102 (c), and that I am a duly licensed professional engineer under the laws of the State of Montana.

Paul T. Swenson, P.E.
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