MONTANA-DAKOTA
UTILITIES CO.
A Subsidiary of MDU Resources Group, Inc.

400 North Fourth Street
Bismarck, ND 58501
701-222-7900

November 14, 2019

RE: Lewis & Clark Station Temporary Storage Pad Extension of Closure Timeframe

To Whom It May Concern:

Montana-Dakota Utilities Co. (MDU), owner and operator of the Lewis & Clark Station (Lewis & Clark) near Sidney, Montana, began voluntary closure activities of a coal combustion residuals (CCR) pile, referred to as the Temporary Storage Pad (TSP), on May 14, 2018. Closure of the TSP is being conducted in accordance with applicable requirements for CCR landfills contained in 40 CFR §257 and 261, Disposal of Coal Combustion Residuals From Electric Utilities (CCR Rule).

The TSP was used to temporarily store and dewater flue-gas desulfurization waste before disposed of at an off-site landfill. MDU voluntarily initiated closure activities on May 14, 2018. Construction quality assurance and quality control was conducted under the oversight of a qualified professional engineer (QPE). Construction included removing all CCR and CCR-contaminated sediments from the TSP for disposal in an off-site landfill. Samples were collected from the base and sides of the excavation to verify that all CCR and CCR-contaminated sediments were removed.

Although confirmation of removal of all CCR and CCR-contaminated materials from the TSP was completed, additional time is required to conduct additional post-closure activity groundwater monitoring and data evaluation. The additional time required to evaluate groundwater data to confirm closure is a factor that is beyond the facility's control. Also, the CCR Rule preamble (FR 21412) states that "once a facility has removed the waste..., the presumption is that the source of contamination has been removed as well... although there may be site-specific factors that could support the need for a longer monitoring period..." A site-specific factor at Lewis & Clark is that there is a separate CCR unit located within the same groundwater monitoring network as the TSP, a common configuration within the industry. Groundwater monitoring for the active unit is being conducted as prescribed in 40 CFR §257.93 through 97. Therefore, there is a complexity in understanding these units, and a full and complete evaluation of the groundwater data is still ongoing. It is infeasible to demonstrate adequate decontamination under §257.102(c) for the TSP considering time has not allowed for sufficient post-closure activity groundwater monitoring to occur after having recently completed removal of all CCR and CCR-contaminated sediments. As demonstrated above, the TSP requires a one-year extension to complete closure.

Owner Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this demonstration and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Signature: _____

Printed name: Jay Skabo

Title: Vice President, Electric Supply

Date: 11/14/2019