



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

January 11, 2022

OFFICE OF
LAND AND EMERGENCY
MANAGEMENT

Ms. Cynthia Vodopivec
Kincaid Generation, LLC
Kincaid Power Station
Environmental Services
6555 Sierra Dr.
Irving, TX 75039

Dear Ms. Vodopivec:

On November 25, 2020, the Environmental Protection Agency (EPA) received a demonstration for the Kincaid Power Station requesting authorization to continue using the Ash Pond until July 17, 2027, and completing closure no later than October 17, 2028, pursuant to the alternative closure provision 40 C.F.R. § 257.103(f)(2). EPA reviewed your demonstration to determine whether it included the required information, analyses and documentation specified under 40 C.F.R. § 257.103(f)(2), and we have determined that your demonstration is complete.

This letter merely communicates EPA's determination that your submitted demonstration contains sufficient information for EPA to evaluate the merits of your demonstration. EPA has not made any decision on whether to approve your request. The demonstration will undergo further review to make such a determination. After this review, EPA will publish its proposed decision for public comment in a docket on www.regulations.gov. After consideration of the comments, EPA will issue its final decision on the demonstration.

As a consequence of your submission of a complete demonstration, the deadline for the Coal Combustion Residuals unit covered by the demonstration to cease receipt of waste is tolled until EPA issues a final decision on the demonstration. 40 C.F.R. § 257.103(f)(3)(ii).

EPA will notify you when a proposed decision on the demonstration is issued. If you have any questions, please contact Kirsten Hillyer at Hillyer.Kirsten@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry N. Breen", written over a light blue horizontal line.

Barry N. Breen
Acting Assistant Administrator