

Kincaid Generation, LLC  
1500 Eastport Plaza Drive  
Collinsville, IL 62234

November 25, 2025

Re: Annual Progress Report (§ 257.103(f)(2)(x)) for the Kincaid Power Plant Ash Pond

Pursuant to 40 C.F.R. § 257.103(f)(2)(x), Kincaid Generation, LLC has prepared this “annual progress report documenting the continued lack of alternative capacity and the progress towards the closure of the CCR surface impoundment.”

#### Continued Lack of Alternative Capacity

As set forth in the retirement demonstration dated November 25, 2020 for the Kincaid Power Plant Ash Pond, no alternative capacity existed for the CCR and non-CCR waste streams that are being disposed in the Kincaid Ash Pond. As EPA explained in the preamble to the proposed Part A revisions, “it would be illogical to require [] facilities [ceasing power generation] to construct new capacity to manage CCR and non-CCR wastestreams.”<sup>84</sup> Fed. Reg. 65,941, 65,956 (Dec. 2, 2019). EPA again reiterated in the preamble to the final revisions that “[i]n contrast to the provision under § 257.103(f)(1), the owner or operator does not need to develop alternative capacity because of the impending closure of the coal fired boiler.”<sup>85</sup> Fed. Reg. 53,516, 53,547 (Aug. 28, 2020). Circumstances have not changed at the Kincaid Power Plant, and there are no existing options to dispose of CCR and non-CCR other than in the Kincaid Ash Pond. Accordingly, there is a continued lack of alternative capacity at the Kincaid Power Plant.

#### Progress Towards Closure

As set forth in the retirement demonstration dated November 25, 2020 for the Kincaid Power Plant, construction of closure was expected to begin on April 17, 2025 with closure complete by October 17, 2028 as required by 40 C.F.R. 257.103(f)(2)(iv)(B). There have been some delays in performing construction activities due to delays with Illinois EPA issuing construction permits under the state CCR program. To date, progress towards closure includes bidding and awarding an engineer service firm for the CCR impoundment closure design in order for closure to be completed by the 2028 deadline. Work has begun to design final closure. The company is aware of and continues to consider the reliability concerns identified by the North American Reliability Electric Corporation and some Independent System Operators.

On July 28, 2022, the Kincaid Power Plant submitted a closure plan to Illinois EPA as part of its construction permit application pursuant to 35 I.A.C § 845.220. On August 16, 2022, a notice was posted on the company’s public CCR website indicating that the closure plan under 40 C.F.R. § 257.102 was updated to incorporate the closure plan previously submitted to Illinois EPA<sup>1</sup>. The construction permit application remains pending before IEPA.

Sincerely,



Cynthia Vodopivec  
Senior Vice President – Environmental, Health & Safety

<sup>1</sup> The closure plan was updated and posted on the company’s public CCR website on November 25, 2025, to reflect a revised coal-fired operations cessation date.