



**40 CFR § 257.95(g)(5)**  
**Notification for**  
**Initiation of Corrective Measures Assessment**  
**Oak Grove Steam Electric Station**  
**FGD-A Pond**

May 8, 2019

In accordance with 40 CFR § 257.95(g)(5), if an assessment of corrective measures is required by either 40 CFR §§ 257.95(g)(3)(i) or (g)(4), the owner or operator of an existing unlined coal combustion residuals (CCR) surface impoundment must prepare a notification stating that an assessment of corrective measures has been initiated. The notification must be placed in the facility's operating record within 30 days of initiating the assessment of corrective measures. See 40 CFR § 257.105(h)(9).

Based on the vacatur of 40 CFR 257.71(a)(1)(i) in *USWAG v. EPA*, No. 15-1219 (D.C. Cir. Aug. 21, 2018), FGD-A Pond would now be considered an existing unlined CCR surface impoundment, and was unable to make a successful alternate source demonstration pursuant to 40 CFR § 257.95(g)(3)(ii). Accordingly, pursuant to § 257.95(g)(4), an assessment of corrective measures required under 40 CFR § 257.96 has been initiated.