



October 26, 2021

ATON LLC has been contracted by Commercial Liability Partners (CLP) to perform the five-year review of the Coal Combustion Residuals (CCR) surface impoundments located at Kingfisher – Stuart in Manchester, Ohio. This work was completed in accordance with the US Environmental Protection Agency’s (EPA’s) Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities, 40 CFR Part 257, specifically §257.73(a). Ash Pond 7 is located at CLP’s Kingfisher-Stuart site in Manchester, Ohio.

J.M. Stuart Station ended operations in May of 2018 and was sold to CLP, and renamed Kingfisher - Stuart. Since ending plant operations the pond received no further inlet flows from the plant. Pond dewatering with mechanical pumps was conducted to empty the pond. Ash removal and pond closure activities are in place. Pond closure is scheduled to be done by April 28, 2026.

The ash pond is operated, maintained and inspected by contracted companies F. B. Remediation, and ATON LLC, under the direction of CLP.

Conclusions drawn in the Haley & Aldrich Hazard Potential Classification Assessment of October 2016 of a “Significant Hazard Potential Classification” are not reflective of the current empty level of the pond, and will still exist until reclassification can be certified by a professional engineer.

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12 October 2016  
File No. 40373-345

Dayton Power & Light Company  
P.O. Box 468  
Aberdeen, Ohio 45101

Attention: Mr. Craig Spangler  
Commodities Manager

Subject: Initial Hazard Potential Classification Assessment  
Pond 7  
J.M. Stuart Electric Generating Station  
Aberdeen, Ohio

Mr. Spangler:

This letter presents the results of our Initial Hazard Potential Classification Assessment for Pond 7 located at Dayton Power & Light Company (DP&L) J.M. Stuart Electric Generating Station in Aberdeen, Ohio. This work was completed in accordance with the US Environmental Protection Agency's (EPA's) Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities, 40 CFR Part 257, specifically §257.73(a)(2).

## Description of Pond 7

Pond 7 is a Coal Combustion Residuals (CCR) surface impoundment with an above-grade embankment on the south side that slopes downward to the bank of the Ohio River. On the west side the impoundment is incised, while on the north side an interior dike separates Pond 7 from Pond 6. The east embankment of Pond 7 slopes downward to the low-lying woods and wetlands to the east. Pond 7 was originally designed by Ebasco Services and constructed in the late-1970s. In approximately 1983, after initial filling of Pond 7 with fly ash, a portion of the filled pond was excavated and lined to form Pond 7A, an approximate 3-acre polishing pond located adjacent to the northeast corner of the existing liquid-filled pond.

Pond 7 has an area of approximately 38 acres at the crest and storage volume of approximately 1,155 acre-ft<sup>1</sup> to the crest (including Pond 7A and the permanently filled portion of Pond 7). Maximum embankment height is approximately 39 feet. Pond 7 is periodically drained and the settled fly ash excavated and hauled to an on-site landfill.

Liquid from Pond 7 enters a concrete channel structure which flows to two concrete-encased 36-inch HDPE pipes that discharge into Pond 6 for additional settling. From Pond 6, water flows to Pond 7A for

<sup>1</sup> Ohio Department of Natural Resources, "Dam Safety Inspection Report – J.M. Stuart Station Ash Pond 7," dated June 27, 2013.

final polishing before flowing to a concrete weir structure with skimmer for final discharge to the Ohio River through NPDES Outfall 013.

## Hazard Potential Classification Assessment

### GENERAL

The Hazard Potential Classification of a CCR surface impoundment is based on the potential for loss of human life, economic losses, environmental damage, and/or disruption to lifelines caused by failure or mis-operation of the surface impoundment.

EPA's Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities, 40 CFR Part 257 requires the owner or operator of a CCR surface impoundment to determine which of the following three hazard potential classifications characterizes their CCR unit:

- High Hazard Potential Classification – A diked surface impoundment where failure or mis-operation will probably cause loss of human life.
- Significant Hazard Potential Classification – A diked surface impoundment where failure or mis-operation results in no probable loss of human life, but can cause economic loss, environmental damage, disruption of lifeline facilities, or impact other concerns.
- Low Hazard Potential Classification – A diked surface impoundment where failure or mis-operation results in no probable loss of life, and low economic and/or environmental losses. Losses are principally limited to the surface impoundment's owner's property.

### HAZARD POTENTIAL CLASSIFICATION

Based on observations during our 18 March 2016 site visit and our review of available information, Pond 7 is judged to have a **Significant** Hazard Potential Classification in accordance with 40 CFR Part 257. The **Significant** Hazard Potential Classification is due primarily to no probable loss of life in the event of a failure, but with potential adverse impacts to the environment (Ohio River and wetlands to the east of Pond 7), as well as potential damage to Pond 6 located immediately to the north of Pond 7.

## Professional Engineer Certification

*§257.73(a)(2)(ii): The owner or operator of the CCR unit must obtain a certification from a qualified professional engineer stating that the initial hazard potential classification and each subsequent periodic classification specified in paragraph (a)(2)(i) of this section was conducted in accordance with the requirements of this section.*

I certify that this initial hazard potential classification for Pond 7 surface impoundment at J.M. Stuart Electric Generating Station was conducted in accordance with §257.73(a)(2) of the CCR Rule.

Signed:   
Consulting Engineer

Print Name: Steven F. Putrich  
Ohio License No.: 67329  
Title: Vice President  
Company: Haley & Aldrich, Inc.

Professional Engineer's Seal and date:

