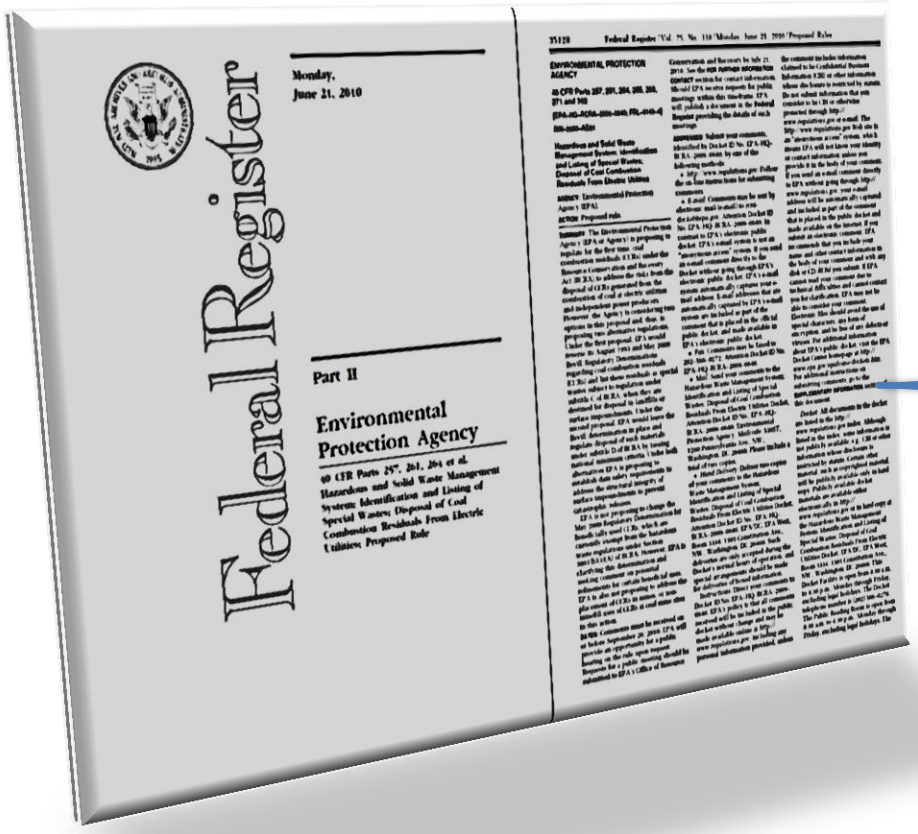
CCR Final Rule

Utility Perspective on Key Compliance Items



1. Favorable Aspects
2. Challenges
3. Applicability
4. States Involvement

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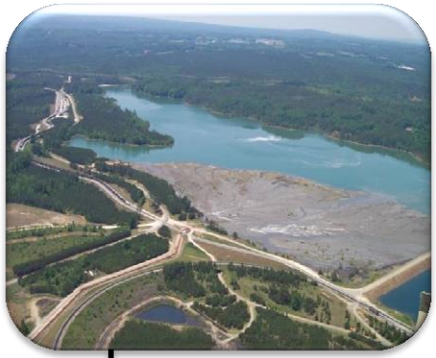
Favorable Aspects

CCRs regulated as non-hazardous waste

Keeps market open for ash to be safely managed and recycled for concrete, road building and other beneficial uses.

No mandatory closure of unlined CCR ponds



Unlined ponds can continue to operate as long as the technical criteria are met

Ability to obtain closure extensions for ponds

In some cases, it would be difficult to complete pond closure within 5 years. Allowing possibility for closure extensions gives flexibility to account for site-specific circumstances and for factors beyond facility's control:

1. Complications due to climate & weather
2. Time required to dewater pond
3. Geology and terrain
4. Time required or delays to obtain State permits

Ability to defer closure when lack of capacity exist

If this can be demonstrated, the CCR unit may continue receiving CCR for up to 5 years or until disposal capacity is available before initiating closure

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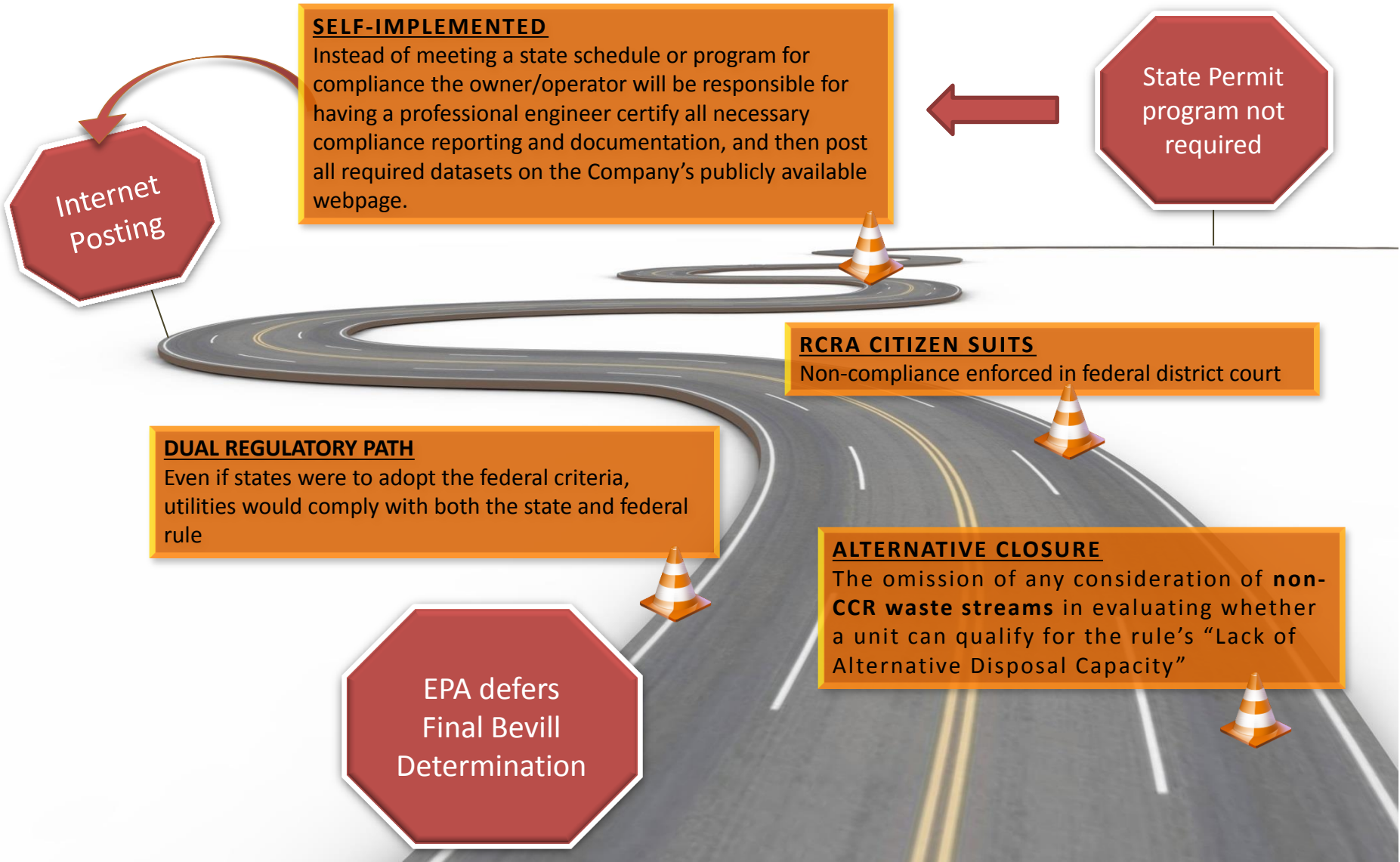
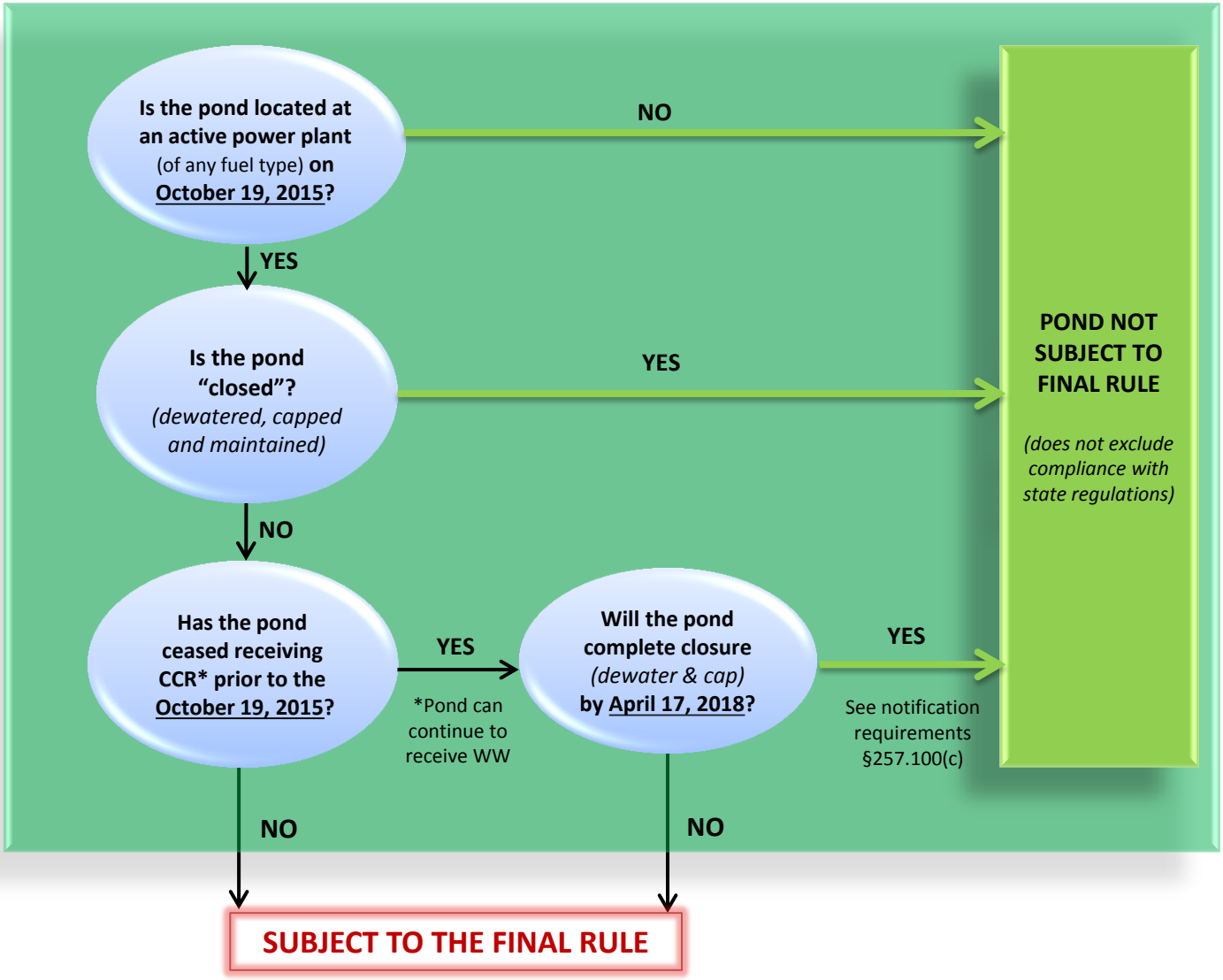
Challenges – Tough Road Ahead



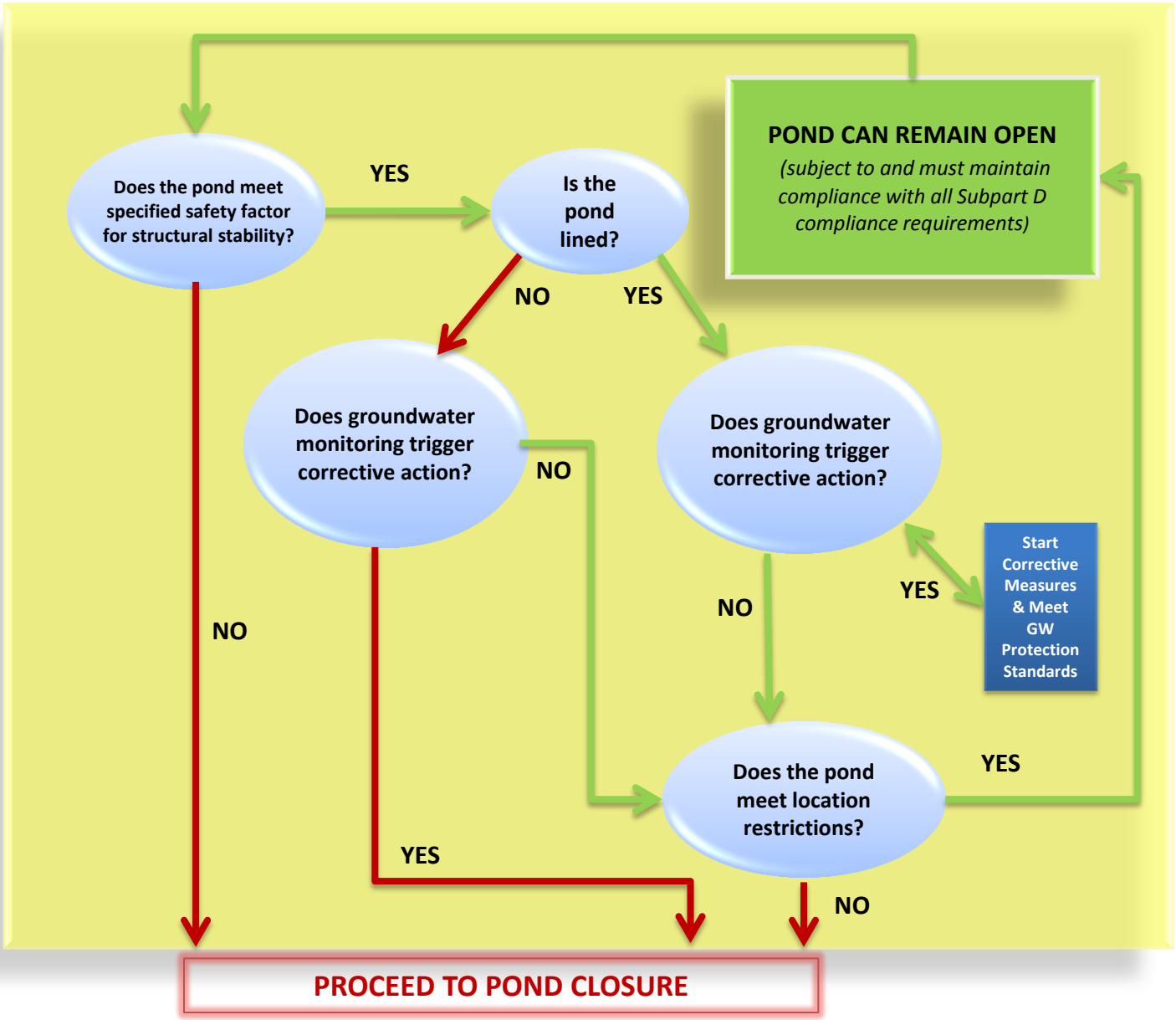
CCR Rule Applicability



Main Points:

- Opportunities exist for CCR ponds to fall outside of the federal rule:
- Plants completely retired prior to October 19, 2015
- Closed inactive CCR ponds
- All applicable state rules apply and do not operate in lieu of the federal rule

Compliance Road Map



Main Points:

- Ponds can remain open when meeting all technical criteria
- Ponds not meeting safety factors for structural stability, groundwater exceedances, or location restrictions are forced to close
- Application of corrective measures to meet GWPS not afforded to unlined surface impoundments