UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

January 12, 2012

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

VIA E-MAIL

Mr. Paul Ling
Kansas Power & Light
PO Box 418679
Kansas City, MO 64141-9679

Re: Request for Action Plan regarding Kansas City Power & Light Co - Montrose Generating Station

Dear Mr. Ling,

On March 1, 2011 the United States Environmental Protection Agency ("EPA") and its engineering contractors conducted a coal combustion residual (CCR) site assessment at the Kansas City Power & Light Co - Montrose Generating Station facility. The purpose of this visit was to assess the structural stability of the impoundments or other similar management units that contain “wet” handled CCRs. We thank you and your staff for your cooperation during the site visit. Subsequent to the site visit, EPA sent you a copy of the draft report evaluating the structural stability of the units at the Kansas City Power & Light Co - Montrose Generating Station facility and requested that you submit comments on the factual accuracy of the draft report to EPA. Your comments were considered in the preparation of the final report.

The final report for the Kansas City Power & Light Co - Montrose Generating Station facility is enclosed. This report includes a specific condition rating for each CCR management unit and recommendations and actions that our engineering contractors believe should be undertaken to ensure the stability of the CCR impoundment(s) located at the Kansas City Power & Light Co - Montrose Generating Station facility. These recommendations are listed in Enclosure 2.

Since these recommendations relate to actions which could affect the structural stability of the CCR management unit(s) and, therefore, protection of human health and the environment, EPA believes their implementation should receive the highest priority. Therefore, we request that you inform us on how you intend to address each of the recommendations found in the final report. Your response should include specific plans and schedules for implementing each of the recommendations. If you will not implement a recommendation, please provide a rationale. Please provide a response to this request by February 13, 2012. Please send your response to:

Mr. Stephen Hoffman
U.S. Environmental Protection Agency (5304P)

1200 Pennsylvania Avenue, NW
Washington, DC 20460

If you are using overnight of hand delivery mail, please use the following address:

Mr. Stephen Hoffman
U.S. Environmental Protection Agency
Two Potomac Yard
2733 S. Crystal Drive
5th Floor, N-5838
Arlington, VA 22202-2733

You may also provide a response by e-mail to hoffman.stephen@epa.gov, kohler.james@epa.gov, and englander.jana@epa.gov.

You may assert a business confidentiality claim covering all or part of the information requested, in the manner described by 40 C. F. R. Part 2, Subpart B. Information covered by such a claim will be disclosed by EPA only to the extent and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when EPA receives it, the information may be made available to the public by EPA without further notice to you. If you wish EPA to treat any of your response as "confidential" you must so advise EPA when you submit your response.

EPA will be closely monitoring your progress in implementing the recommendations from these reports and could decide to take additional action if the circumstances warrant.

You should be aware that EPA will be posting the report for this facility on the Agency website shortly.

Given that the site visit related solely to structural stability of the management units, this report and its conclusions in no way relate to compliance with RCRA, CWA, or any other environmental law and are not intended to convey any position related to statutory or regulatory compliance.

Please be advised that providing false, fictitious, or fraudulent statements of representation may subject you to criminal penalties under 18 U.S.C. § 1001.

If you have any questions concerning this matter, please contact Mr. Hoffman in the Office of Resource Conservation and Recovery at (703) 308-8413. Thank you for your continued efforts to ensure protection of human health and the environment.

Sincerely,
/Suzanne Rudzinski/, Director
Office of Resource Conservation and Recovery

Enclosure

Enclosure 2

Kansas City Power & Light Co - Montrose Generating Station Recommendations (from the final assessment report)

5.2 SummaryStatement

I acknowledge that the management units referenced herein:

• NorthAsh Pond

• SouthAsh Ponds

Were personally inspected by me and found to be in the following condition:

SATISFACTORY

Based on observations during the site assessment, it is recommended that the following actions be taken at the Montrose Generating Station.

6.1 Priority 1 Recommendations

1. **None.** The impoundments appeared to be in satisfactory condition during inspection and no severe deficiencies were observed that would threaten the safety of the impoundment.

6.2 Priority 2 Recommendations

1. **Prepare an Emergency Action Plan (EAP) for the facility.** An EAP should be prepared for the North and South Ash Ponds, as well as any other pertinent features related to the impoundments. If weekly visual inspection indicates an uncontrolled release is imminent, a list of procedures and contacts should be available to KCP&L personnel to help mitigate damages.

2. **Repair erosion on impoundment slope and drainage ditch.** Areas where erosion has occurred should be filled in and re-dressed with appropriate fill to prevent erosion from cutting further into the impoundment slopes. Areas of concern include:

• South Ash Pond inlet where higher velocity flows have eroded the impoundment slope and caused minor caving.

• Drainage ditch slope near the southern culvert shows some erosion, which likely caused the adjacent chain-link fence to fall over.

3. **Perform vegetation mitigation around impoundment structures and incised slopes.** Refer to Federal Emergency Management Agency's (FEMA) Manual 534, "Impact of Plants on Earthen Impoundments" for guidance on vegetation removal. This manual is available on the FEMA website.

4. **Perform an elevation survey.** This survey should be performed to establish the embankment and pipe invert elevations. The survey datum should use the current standard which is North American Vertical Datum of 1988 (NAVD88). The survey data should be used to ensure adequate embankment height and hydrology of the ash pond facilities. The survey data will also assist with future maintenance, repair, and monitoring, as well as facilitate future inspection.