

August 19, 2019

David Vitale, P.E.
Division Director
New York State Department of Environmental Conservation
Division of Materials Management
625 Broadway
Albany, New York 12233-7250

**Re: Coal Combustion Residuals Rule Notifications
Lockwood Ash Disposal Site
DEC ID No. 8-5736-00005/00003
Facility No. 62N01**

Dear Mr. Vitale:

Lockwood Hills LLC operates the Lockwood Ash Disposal Site (Lockwood or Landfill) in the Town of Torrey, Yates County, New York. Lockwood went into protective layup in the Spring of 2011 and has not received coal combustion residuals (CCR) from operating coal-fired power generation facilities since that time. On April 17, 2015, the Environmental Protection Agency issued 40 CFR §257 Subpart D, commonly known as the CCR Rule, that covers CCR landfills receiving CCR after October 19, 2015, among other operations. Although Lockwood is not receiving newly generated CCR waste, from time to time, site maintenance and repair activities do result in material that contains some CCR within its matrix and Lockwood Hills LLC has agreed to comply with the elements of the CCR Rule applicable to existing CCR landfills.

Pursuant to the requirements of §257.106(a) of the CCR Rule, the documents listed on the next page have been placed in the Lockwood operating record, and on a publicly accessible internet site (<https://lockwoodhillsllc.com>), maintained by Lockwood Hills LLC.

CCR DOCUMENTATION

Document Title	Reference Citation
Location Restriction Unstable Areas Demonstration/Certification	40 CFR Part 257.64
Fugitive Dust Control Plan	40 CFR Part 257.80
Run-On and Run-Off Control System Plan	40 CFR Part 257.81
Groundwater Monitoring System Certification	40 CFR Part 257.91
Statistical Method Certification	40 CFR Part 257.93(f)
Assessment Monitoring Notification	40 CFR Part 257.94(e)(3)
Closure Plan	40 CFR Part 257.102(b)
Post Closure Plan	40 CFR Part 257.104

The New York State Department of Environmental Conservation (Department) determined that select downgradient monitoring wells, which are now included as part of Lockwood's CCR groundwater monitoring system, have likely been impacted by the existing, unlined leachate treatment pond. Lockwood Hills and the Department entered into a Consent Order (Case No. R8-20140710-47) with the primary objective of developing and implementing a plan to eliminate groundwater discharge of leachate from the leachate treatment pond. Parameters covered under 40 CFR Part 257, Appendix III, most notably boron, are among the parameters the Department found to be elevated above background levels. The Consent Order is nearly complete with work underway to remediate the existing leachate treatment pond, install a geomembrane liner in the leachate settling pond, and add a step aerator as a new component to the leachate treatment system. The Department is overseeing this work. The deadline for completion of all construction work is November 1, 2019.

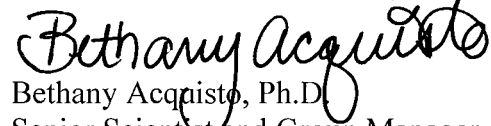
Given this current set of circumstances with respect to the CCR Rule, Lockwood has determined that initiation of the assessment monitoring program is appropriate. Therefore, this letter also serves to notify the Department, consistent with 40 CFR 257.94(e)(3), that an assessment monitoring program has been established at Lockwood. Further, that the assessment of corrective action measures and selection of a remedy (remediation and lining of

the leachate treatment pond) have already taken place with the issuance of the Consent Order, and implementation of the remedy is nearly complete. It is expected that elevated levels of leachate indicator parameters will begin to respond positively within a few years.

Thank you for your consideration of the above. As always, please do not hesitate to contact me if you have any questions or concerns about the information provided herein.

Sincerely,

DAIGLER ENGINEERING, PC



Bethany Acquisti, Ph.D.
Senior Scientist and Group Manager

cc: Dale Irwin – Lockwood Hills LLC
Gregory MacLean, NYSDEC, Region 8 DMM