



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

January 11, 2022

OFFICE OF
LAND AND EMERGENCY
MANAGEMENT

Mr. Marty Stange
Hastings Utilities
Whelan Energy Center
1228 North Denver Ave
Hastings, NE 68901

Dear Mr. Stange:

On November 30, 2020, the Environmental Protection Agency (EPA) received a demonstration for the Whelan Energy Center (WEC) requesting authorization to continue using the WEC Temporary Ash Disposal Area until October 15, 2023, pursuant to the alternative closure provision 40 C.F.R. § 257.103(f)(1). EPA reviewed your demonstration to determine whether it included the required information, analyses and documentation specified under 40 C.F.R. § 257.103(f)(1), and we have determined that your demonstration is complete.

This letter merely communicates EPA's determination that your submitted demonstration contains sufficient information for EPA to evaluate the merits of your demonstration. EPA has not made any decision on whether to approve your request. The demonstration will undergo further review to make such a determination. After this review, EPA will publish its proposed decision for public comment in a docket on www.regulations.gov. After consideration of the comments, EPA will issue its final decision on the demonstration.

As a consequence of your submission of a complete demonstration, the deadline for the Coal Combustion Residuals unit covered by the demonstration to cease receipt of waste is tolled until EPA issues a final decision on the demonstration. 40 C.F.R. § 257.103(f)(3)(ii).

EPA will notify you when a proposed decision on the demonstration is issued. If you have any questions, please contact Kirsten Hillyer at Hillyer.Kirsten@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Barry N. Breen", is written over a light blue rectangular background.

Barry N. Breen
Acting Assistant Administrator