



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

04 DEC 2002

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

James Jura  
CEO and General Manager  
Associated Electric Cooperative, Inc.  
P.O. Box 754  
Springfield, Missouri 65801

RE: Request for Information Pursuant to Section 114(a) of the Clean Air Act Regarding EPA's Coal-fired Power Plant Investigations

Dear Mr. Jura:

The United States Environmental Protection Agency (EPA) hereby requires Associated Electric Cooperative to provide certain information as part of an EPA investigation to determine the Clean Air Act (CAA or the Act) compliance status of the Thomas Hill Energy Center and New Madrid Power Plant.

Pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), the Administrator of EPA is authorized to require any person who owns and/or operates an emission source to establish and maintain records, make reports and provide such other information as he may reasonably require for the purposes of determining whether such person is in violation of any provision of the Act. In order for EPA to determine whether a violation has occurred, you are hereby required, pursuant to Section 114(a) of the CAA, to provide responses to the following questions and requests for information regarding the Thomas Hill Energy Center and New Madrid Power Plant.

EPA has reasons to believe that physical changes or changes in the method of operation may have been made at these power plants. These reasons are, in part, reflected in the enclosed graphs (see Enclosure 3) reflecting operations and expenditures at the plants since 1981. These changes may have resulted in or could in the future result in increased emissions from the plants. Therefore, you are hereby required to respond to the following questions and requests for information within the time periods specified (see Enclosure 1 for instructions and definitions).

1. Provide a list of all owners and operators of the Thomas Hill Energy Center and New Madrid Power Plant, including the percentage ownership for each owner.

RECYCLE   
PAPER CONTAINS RECYCLED FIBERS

2. Provide copies of all Capital Appropriation Requests (as defined in Attachment 1) for capital projects which involved the equipment identified in (a.) - (m.) below for all projects with actual or authorized total expenditures greater than \$250,000 at the Thomas Hill Energy Center and New Madrid Power Plant for the period of January 1, 1980, to the present:
- a. Boiler casing and boiler floor/wall tube replacements for each unit,
  - b. Economizer, reheater(s), primary and secondary superheaters, steam drums, and/or primary and secondary air pre-heater replacements for each unit,
  - c. Induced draft (ID) fans, forced draft (FD) fans and fan motor replacements for each unit,
  - d. Condenser, boiler feed pump and/or feed water heater replacements for each unit,
  - e. Flue gas recirculation (FGR) replacements or deactivations for each unit,
  - f. Pulverizer, exhauster, burner and/or cyclone replacements for each unit, -
  - g. Balanced draft conversion projects,
  - h. Turbine rotor/turbine shell replacements or design changes,
  - i. Low-NOx burner (LNB), overfire air, staged combustion, gas or coal reburn installation and modifications/retrofits including any model or size changes made to the burners for each unit, and including changes to the ignitors [i.e., include model and size (in MMBTUs/hour)],
  - j. Scrubber retrofits and/or design change projects,
  - k. Any Electrostatic Precipitator (ESP) or fabric filter retrofits or design changes,
  - l. Coal handling system changes to increase feed rate or other changes to coal preparation,
  - m. Changes made to equipment to accommodate the burning of used oil in each boiler.

The Capital Appropriation Requests are to include, but not be limited to,

- i. copies of all Capital Appropriation Requests with authorizing signatures,
- ii. equipment specifications,

- iii. all purchase orders and/or contracts entered into that exceeded \$500,000,

Additionally,

- iv. identify the dates when the work orders were completed and the equipment was returned to service,
3. Provide copies of all correspondence, memoranda and telephone discussion summaries that discuss the benefits or provide the justification of projects identified in the Capital Appropriation Requests identified in Request No. 2. This request includes documents written before, as well as after, the date(s) of the Capital Appropriation Requests.
  4. Provide copies of all correspondence, memoranda and telephone discussion summaries with either the federal or state regulatory agency regarding PSD/NSR/NSPS applicability determinations for any modifications and/or reconstructions between 1978 and the present for each Coal Fired Boiler Unit at the Thomas Hill Energy Center and New Madrid Power Plant.
  5. List and provide all life extension and life optimization studies, evaluations, assessments and reports, including any reports and/or correspondence, related to extending the life for each boiler or boiler component at the Thomas Hill Energy Center and New Madrid Power Plant.
  6. Provide all planning, meeting notes, studies and project information related to efforts to increase the performance and/or reliability of each Coal Fired Boiler Unit at the Thomas Hill Energy Center and New Madrid Power Plant on either a short-term or annual basis for the period January 1, 1980, to the present.
  7. Provide the initial installed cost of each Steam Generating Unit at the Thomas Hill Energy Center and New Madrid Power Plant. In addition, provide a table of the changes in each unit's initial installed cost basis, as defined by section 1012 of the Internal Revenue Code, from installation to present.
  8. Provide the current "projected capital outlay plan" or other appropriate document(s) that sets forth the operational and equipment changes and identifies the projected capital expenditures that Associated Electric Cooperative will be making in the next five years to the Thomas Hill Energy Center and New Madrid Power Plant. In addition, provide capital planning documents (i.e., five year plans and all other comparable documents) for the period January 1, 1980, to the present.

You must submit the response to each of the above questions within sixty (60) calendar days after your receipt of this letter. This information should be submitted to :

U.S. Environmental Protection Agency, Region 7  
Air Permitting and Compliance Branch (ARTD/APCO)  
901 North 5<sup>th</sup> Street  
Kansas City, Kansas 66101  
Attention: Jon Knodel

If you anticipate being unable to respond fully to this request within the time period specified, you must submit a sworn declaration by a responsible corporate official within 20 calendar days after your receipt of this letter, specifying what information will be provided within the time specified, describing what efforts have been/are being made to obtain other responsive information and providing a detailed schedule of when such other responsive information can be provided. Upon receipt and based upon such declaration, EPA may extend the time in which responsive information must be provided.

Your response to this requested information must be certified by a duly authorized officer or agent of Associated Electric Cooperative by signing the enclosed Statement of Certification (see Enclosure 2) and returning it with your response. All information submitted in response to this request must be certified as true, correct, accurate, and complete by an individual with sufficient knowledge and authority to make such representations on behalf of Associated Electric Cooperative.

A knowing submittal of false information in response to this request may be actionable under Section 113(c)(2) of the CAA, as well as 18 U.S.C. §§ 1001 and 1341. Associated Electric Cooperative should also be aware that failure to comply fully with the terms of this request may subject it to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

This letter in no way affects the obligations of Associated Electric Cooperative to comply with other local, State and Federal laws and regulations. In addition, nothing in this letter shall be construed to be a waiver by EPA of any rights or remedies under the Clean Air Act.

The information requested herein must be provided notwithstanding its possible characterization as confidential information or trade secrets. Associated Electric Cooperative may assert a confidentiality claim covering part or all of the information requested, pursuant to 40 C.F.R. §2.203(b) by attaching to such information at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Information covered by such a claim will be disclosed by the 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 it is received by the EPA, it may be made available to the public without further notice to you. You should review the above cited regulations carefully before asserting a business confidentiality claim as certain categories of information are not properly the subject of such a claim.

This Section 114 request is a substantially reduced subset of questions found in other similar power plant investigations. The intent is to minimize the amount of information you must provide during EPA's initial investigation. If review of this information indicates that potential NSR violations exist, we reserve the right to issue subsequent Section 114 letters to obtain additional detailed information.

The requirements of this letter are not subject to the Paperwork Reduction Act of 1980, 44 U.S.C. §3501 *et seq.*

If you have any questions concerning this matter, please contact Jon Knodel at (913) 551-7622 or Mike Bronoski at 913-551-7291.

Sincerely,



William A. Spratlin  
Director, Air, RCRA, and Toxics Division

Enclosures: Instructions and Definitions  
Statement of Certification  
Graphs

cc: Leanne Tippett  
Missouri Department of Natural Resources

Gary Fulks  
Associated Electric Cooperative, Inc.

## ENCLOSURE 1

### INSTRUCTIONS

1. Provide a separate narrative response to each question and subpart of a question set forth in the Information Request.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer identify the person(s) that provided information that was used or considered in responding to that question, as well as each person that was consulted in the preparation of that response.
3. Indicate on each document produced in response to this Information Request, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information is not available or in your possession and identify any source that either possesses or is likely to possess such information.

### DEFINITIONS

All terms used in this Request for Information will have their ordinary meaning unless such terms are defined in the Act, 42 U.S.C. § 7401, C.F.R. Part 52 (which incorporates the federally-approved Stated Implementation Plan), or other Clean Air Act implementing regulations. Reference is made to the EPA regulatory provisions only; however, you should apply the applicable federally-approved state provisions when appropriate. Definitional clarification is specified below.

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any document.
2. The term "Capital Appropriation Requests" shall mean the documents used by station personnel that serve the purpose of describing capital projects for equipment and process changes when seeking management approval for a planned expenditure at the station. These documents are also known as capital improvement requests, authorizations for expenditure, work order records, or other similar names.

3. The term "Steam Generating Unit" shall have the same meaning as defined at 40 C.F.R. 60.41(b)
4. The term "Coal-Fired Boiler Unit" shall mean all equipment used for the purpose of generating electricity including but not limited to coal handling facilities, boilers, ductwork, stacks, turbines, generators, and all ancillary equipment.
5. The term "PSD/NSR" shall mean the Prevention of Significant Deterioration and the New Source Review preconstruction permitting programs established at 40 C.F.R. 51 and 52 and any respective program established under a state implementation plan.
6. The term "NSPS" shall mean the Standards of Performance for New Stationary Sources promulgated at 40 C.F.R. Part 60.
7. The term "MWhr" shall mean megawatt hours of electrical energy.
8. The term "KWhr" shall mean kilowatt hours of electrical energy.
9. The term "BTU" shall mean the British Thermal Unit of heat.

**ENCLOSURE 2**

**STATEMENT OF CERTIFICATION**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

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(Signature)

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(Title)

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(Date)

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the foregoing Clean Air Act Section 114 Request for Information was mailed by certified mail, return receipt requested, to:

James Jura  
CEO and General Manager  
Associated Electric Cooperative, Inc.  
P.O. Box 754  
Springfield, Missouri 65801

Certified Return Receipt No. 7001 0320 0004 5579 1880

Kimberly E Smith

Kimberly Smith  
Office Manager, Air Permitting  
and Compliance Branch

12/4/02

Date