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April 9, 2026

Jared Morrison
Senior Director, Environmental Services
Evergy Metro, Inc.
818 South Kansas Avenue
Topeka, KS 66612

Subject: Extension of Closure Timeframe
La Cygne Generating Station
Lower AQC Impoundment

Dear Mr. Morrison,

On behalf of Evergy Metro, Inc. (Evergy), in accordance with Title 40 Code of Federal Regulations (40 CFR) §257.102(f)(2)(i) of the U.S. Environmental Protection Agency Federal Coal Combustion Residuals (CCR) Rule (40 CFR §§257 and 261), effective October 19, 2015 and subsequent revisions, AECOM has prepared this demonstration of the need for a two-year extension for the completion of closure of the La Cygne Generating Station Lower AQC Impoundment due to factors beyond the facility's control. The CCR Rule allows for this extension based on factors that may include:

A. Complications stemming from the climate and weather, such as unusual amounts of precipitation or a significantly shortened construction season;
B. Time required to dewater a surface impoundment due to the volume of CCR contained in the CCR unit or the characteristics of the CCR in the unit;
C. The geology and terrain surrounding the CCR unit will affect the amount of material needed to close the CCR unit; or
D. Time required or delays caused by the need to coordinate with and obtain necessary approvals and permits from a state or other agency.

Pursuant to 40 CFR §257.102(f)(2)(i), Evergy is providing this demonstration to extend the time necessary to close the Lower AQC Impoundment. The project background, discussion of the extension of the closure timeframe, estimated closure schedule, and certification are presented below.

1. BACKGROUND

Evergy's La Cygne Generating Station Lower AQC Impoundment is located about seven miles east of La Cygne, Kansas, east of State Highway 69. The Impoundment is permitted by the Kansas Department of Health and Environment – Bureau of Waste Management (KDHE-BWM). Per the current written closure plan, the final closure of the Lower AQC Impoundment will be accomplished by consolidation of the impounded CCR material within a smaller footprint and covering the CCR material with a final cover system. Consolidation of the CCR material will result in removed areas not needing a CCR-compliant final cover but will be otherwise reclaimed. For construction phasing purposes, the Lower AQC Impoundment has been divided into phases as

listed below. Acreages are approximate since final design is not yet complete and boundaries between phases are not fully defined.

- Phase 7A – 10 acres
- Phase 7B – 5 acres
- Phase 7C – 32 acres
- Phase 7D through Phase 9 – 145 acres

Evergy's La Cygne Generating Station Upper AQC Impoundment is located directly north of the Lower AQC Impoundment. Although the Upper AQC Impoundment is considered a separate surface impoundment, historically the Lower AQC Impoundment received effluent discharge from the Upper AQC Impoundment, which consisted of very fine CCR materials with unique properties.

Further details regarding closure activities to date and remaining closure activities for the Impoundment are presented below.

2. EXTENSION OF CLOSURE TIMEFRAME

40 CFR 257.102(f)(2)(i) states:

The timeframes for completing closure of a CCR unit specified under paragraphs (f)(1) of this section may be extended if the owner or operator can demonstrate that it was not feasible to complete closure of the CCR unit within the required timeframes due to factors beyond the facility's control.

2.1 Notification of Closure and Preliminary Site Activities

The initial written closure plan for the Lower AQC Impoundment was dated October 14, 2016. The Lower AQC Impoundment is an unlined CCR surface impoundment. As such, 40 CFR 257.101(a)(1) dictates that closure of the unit must begin no later than April 11, 2021. A Notification of Intent to Close for the Impoundment was therefore placed in the operating record on April 9, 2021, in accordance with 40 CFR 257.102(g).

According to 40 CFR 257.101(a)(1), placement of CCR and non-CCR wastestreams into a CCR surface impoundment must cease prior to initiating closure. To remain complaint with this requirement, Evergy contracted with an engineering consultant (Burns & McDonnell) to prepare the engineering documents required for construction of a reroute project to prevent effluent discharge from the Upper AQC Impoundment into the Lower AQC Impoundment. The project required closure by removal of approximately 7 acres in the northwest portion of the Phase 7C area. Issued for construction drawings were provided in May 2020 and the project was substantially completed in Fall of 2020.

2.2 Phase 8 and Phase 9 Testing and Closure Concept Development

The Lower AQC was constructed as a holding basin for formerly sluiced CCR water and materials from the La Cygne Generating Station, AQC recycling water, gypsum runoff pond discharge, and stormwater management. While in operation, the ponded water surface area in Phase 9 was approximately 60 acres. Because this was a secondary settling pond downstream of the Upper AQC Impoundment, the material that settled in the Lower AQC is a much finer material than what exists anywhere else on site. The material in Phase 9 is extremely fine gypsum with a strong affinity for water, making it very difficult to dewater.

Due to the free liquids requiring removal prior to closure and the difficulty of dewatering the remaining material fines, Evergy began pumping the standing water upon receiving the necessary NPDES permit on May 14, 2020. The surface water area has been reduced by more than half by pumping free liquids. However, the water retained in the material fines is very difficult to remove and the material is unstable and unable to support construction equipment or foot traffic.

In 2021 Evergy contracted Burns & McDonnell to perform a bathymetric survey and geotechnical investigation of Phase 8 and Phase 9 areas. The purpose of these efforts was to quantify the volume of CCR material and identify depth to native material at the bottom of each area. This involved geotechnical borings in the Phase 8 area and a barge in Phase 9 for the bathymetric survey and geotechnical borings through the open water area.

In 2022, Evergy began constructing berms within the Phase 9 area by bridging over the unstable material with suitable material. The material for these berms was harvested from the Phase 8 area. This allowed access for additional investigations into how to consolidate and dewater the material.

Beginning in 2023, Evergy again contracted with Burns & McDonnel for additional geotechnical investigations of the Phase 7 and Phase 8 areas to obtain information regarding the composition, classification, and engineering characteristics of the subsurface materials. In situ vane shear tests were performed and samples were collected from geotechnical boring for laboratory testing. Pore pressure dissipation testing was performed in the cone penetrometer soundings.

In 2024, Evergy contracted with Moretrench Industrial (Moretrench) to perform a pilot study for investigating dewatering options for the Phase 9 fine gypsum material. The pilot study included conventional dewatering methods using well points across a 3-acre test site. Moretrench also excavated trenches and transported the wet material to another area to spread and dry. The hauling efforts proved unsuccessful for multiple reasons. The material liquified in the trucks with the slightest vibration and spreading it out to dry was also unsuccessful as the material was still too slow to release water. The pilot study additionally showed that well points were not successful in adequately dewatering the gypsum material.

In 2025, Moretrench performed additional geotechnical investigations on the Phase 9 fine gypsum material. Samples of the material were collected using a long reach excavator and tested in the laboratory for composition, classification, and engineering characteristics. Additional treatability laboratory testing was performed to try and identify methods of mixing with other materials that would stabilize the material.

To date, closure concept development for Phase 8 and Phase 9 has been delayed due to being unable to find an effective method for dewatering and stabilizing the material. While investigations have been ongoing for Phase 8 and Phase 9 areas, Evergy has begun concurrent closure efforts in other areas of the Lower AQC Impoundment as described below.

2.3 Phase 7 Closure Efforts

Evergy again contracted with Burns & McDonnell to prepare the engineering documents required for construction of the Phase 7A area. Although this area includes only 10 acres within the Lower AQC Impoundment, it also redirects drainage patterns for drainage areas that contribute to the Lower AQC Impoundment for a total project area of 42 acres. Issued for bid drawings were provided in June 2023. Rough grading of drainage ditches for this project was completed in 2025.

Construction activities to remove CCR from the Phase 7B area took place between May 2023 and November 2023. Evergy contracted with an engineering consultant (AECOM) to perform site observation and certification of CCR removal from this area. The extents of CCR removal were documented by a survey in November 2023, which was reviewed and approved by AECOM. Following CCR removal and certification of the Phase 7B area, the 7B area was a local depression with no outlet for stormwater. Evergy again contracted AECOM to prepare the engineering documents required for final grading of the Phase 7B area to fill the depression and allow the area to freely drain. Issued for bid drawings were provided in October 2025.

Evergy again contracted AECOM to prepare the engineering documents required for construction of the Phase 7C area. Issued for bid drawings were provided in November 2025. Clearing efforts of approximately 6 acres within the Phase 7C area were proactively completed in 2025 ahead of bidding.

The Phase 7A, 7B, and 7C projects are currently out for contractor bidding with construction anticipated to begin summer 2026.

2.4 Summary

To date, closure activities for the Lower AQC have resulted in closure by removal of approximately 12 acres (Phase 7B and a portion of Phase 7C), with an additional 35 acres of closure planned to commence in summer 2026.

The areas of the Lower AQC Impoundment that are accessible and safe to work in have begun closure design and construction. However, significant remaining areas of the Lower AQC Impoundment are still undergoing cover evaluations, dewatering, and stabilization efforts.

For these reasons it has not been feasible to complete the closure of the impoundment within five years of commencing closure activities.

3. ESTIMATED CLOSURE SCHEDULE

40 CFR 257.102(f)(2)(i) further states:

If the owner or operator is seeking a time extension beyond the time specified in the written closure plan as required by paragraph (b)(1) of this section, the demonstration must include a narrative discussion providing the basis for additional time beyond that specified in the closure plan.

The current written closure plan for the Lower AQC Impoundment is dated January 2024 and includes the following estimated closure schedule, which assumes five, two-year extensions will be sought in accordance with 40 CFR 257.102 (f) (2) due to the reasons described above. As this extension is the first two-year extension, there is no change to the estimated closure schedule in the current written closure plan.

Table 1. Estimated Closure Schedule for the Lower AQC Impoundment

Activity	Date
Initial Written Closure Plan	October 14, 2016
Notification of Intent to Close Placed in Operating Record	April 9, 2021

Initiation of Closure / Coordinating with and obtaining necessary approvals and permits from other agencies	April 9, 2021
Cover evaluations, dewater and stabilization	September 2020 – April 2035
Closure Construction Phase 7	2023 - 2036
Closure Construction Phase 8	2030 - 2036
Closure Construction Phase 9	2026 - 2036
Year all closure construction activities will be completed	2036(1)

Notes: (1) Final closure of Surface Impoundments must be completed within five years of commencing closure unless a demonstration is placed in the operating record document (40 CFR 257.102 (f) (2)). Completion of closure activities may be extended for multiple two-year periods in accordance with 40 CFR 257.102 (f)(2)(i) through (iii). Five two-year extensions are anticipated to be sought in accordance with 40 CFR 257.102 (f) (2) in order to accommodate the construction schedule for dewatering and stabilization efforts and completing closure activities for the Lower AQC Impoundment.

4. CONCLUSION

Evergy has demonstrated the need for a two-year extension for the completion of closure for the La Cygne Lower AQC Impoundment due to factors beyond the facility's control. The certification statement required under 40 CFR §257.102(f)(2)(iii) has been provided at the end of this letter and is signed by an authorized representative of Evergy as the Owner/Operator.

Yours sincerely,

Joslyn Townsend

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OWNER OR OPERATOR CERTIFICATION

As required by 40 CFR 257.102(e)(2)(iii), Evergy's undersigned authorized representative certifies the following:

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

By Jared Morrison Digitally signed by Jared Morrison Date: 2026.04.09 12:53:55 -05'00'

(authorized signature)

By Jared Morrison

(print or type name)

Company Evergy

Title Senior Director Environmental Services

Date August 9, 2026