

**Coal Combustion Residual
Surface Impoundment
Notification of Deed Notation**

**Basin Electric Power Cooperative
Leland Olds Station**

December 2020

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Background and Purpose

Final closure of Basin Electric Power Cooperative (**Basin Electric**) Leland Olds Station (**LOS**) surface impoundments (Ash Pond 2 and Pond 3) occurred in 2020. A closure notification, dated October 26, 2020, was completed in accordance with the Coal Combustion Residual (**CCR**) Rule that included certification by a qualified professional engineer that the closure was completed in accordance with the written closure plan and the requirements of 40 CFR § 257.102.

Following closure of a CCR unit and in accordance with 40 CFR § 257.102(i), the owner or operator must record a notation on the deed to the property, or some other instrument that is normally examined during title search. The notation on the deed must in perpetuity notify any potential purchaser of the property that the land has been used as a CCR unit and the land's use is restricted under the post-closure care requirements for the CCR unit. The purpose of this document is to provide notification that a deed notation has been prepared and recorded at the Mercer County Recorder's Office.

Post-closure use

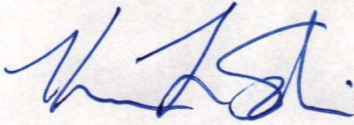
40 CFR § 257.104(d) provides that post-closure use of the property shall not disturb the integrity of the final cover, liner(s), or any other component of the containment system, or the function of the monitoring systems unless necessary to comply with the requirements in this subpart. Any other disturbance may be allowed if the owner or operator of the CCR unit demonstrates that disturbance of the final cover, liner, or other component of the containment system, including any removal of CCR, will not increase the potential threat to human health or the environment. Any such demonstration must be certified by a qualified professional engineer.

Record of Deed Notation

This document provides notification that the required CCR Rule deed notation was recorded by the Mercer County Recorder's Office on December 3, 2020.

Certification Statement

This document has been prepared in accordance with 40 CFR § 257.102(i) which requires a deed notation that in perpetuity notifies any potential purchaser of the property that the land has been used as a CCR unit and the land's use is restricted under the post-closure care requirements for the CCR unit. This document provides notification that a deed notation has been recorded in accordance with 40 CFR § 257.102(i) as set forth in the *Standards for the Disposal of Coal Combustion Residuals in Landfills and Impoundments*.



Kevin L. Solie, North Dakota PE-9488
December 10, 2020

