

# Annual CCR Fugitive Dust Control Report

in support of

## 40 CFR Part 257

for Northern Indiana Public Service Company LLC's

## Dean H. Mitchell Generating Station

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## Introduction

The rule titled “Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals From Electric Utilities” (hereinafter the “CCR Rule”) was published as a final rule in the *Federal Register* on April 17, 2015. [[80 FR 21302](#)]

On August 21, 2018, The United States Court of Appeals for the District of Columbia Circuit vacated the exemption for inactive surface impoundments at inactive facilities (legacy CCR surface impoundments) and remanded the issue back to EPA to take further action. On May 8, 2024, EPA finalized changes to the CCR regulations for inactive surface impoundments at inactive electric utilities, referred to as "legacy CCR surface impoundments."

Per 40 CFR 257.80(a), The owner or operator of a CCR unit must adopt measures that will effectively minimize CCR from becoming airborne at the facility, including CCR fugitive dust originating from CCR units, roads, and other CCR management and material handling activities.

Per 40 CFR 257.80(b) requires the owner or operator of the CCR unit to prepare and operate in accordance with a CCR fugitive dust control plan as outlined in 40 CFR 257.80(b)(1) through (7). These measures are contained in the CCR Fugitive Dust Control Plan for DHMGS that was timely placed in NIPSCO's operating record.

Northern Indiana Public Service Company LLC (NIPSCO) is the owner and operator of the Dean H. Mitchell Generating Station (DHMGS) located in Lake County in Gary, Indiana. There were four coal-fired electric utility steam generating units at DHMGS that operated from 1955 - 2002.

NIPSCO owns and operates CCR surface impoundments at DHMGS. As of May 31, 2018, demolition of the coal-fired electric utility steam generating units was completed. Consequently, no additional CCR are being generated by the facility.

Furthermore, 40 CFR 257.80(c) requires the owner or operator of the CCR unit to prepare an annual CCR fugitive dust control report. This document constitutes the annual CCR fugitive dust control report for DHMGS.

## Requirement 1 – Actions Taken to Control CCR Fugitive Dust

**“The owner or operator of a CCR unit must prepare an annual CCR fugitive dust control report that includes a description of the actions taken by the owner or operator to control CCR fugitive dust.”**

*[40 CFR §257.80(c)]*

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The following actions were taken to control CCR Fugitive Dust, in accordance with the CCR Fugitive Dust Control Plan for DHMGS.

### **Fly Ash**

Fly ash was previously produced from Units 4, 5, 6 and 11. Due to retirement and demolition of the coal-fired electric generating units, no fly ash is produced or handled on site.

### **Bottom Ash**

Bottom ash was previously produced from Units 4, 5, 6 and 11. Due to retirement and demolition of the coal-fired electric generating units, no bottom ash is produced or handled on site.

### **Slag**

Boiler slag was not produced from Units 4, 5, 6 or 11.

### **Gypsum**

Synthetic gypsum was not produced from Units 4, 5, 6 or 11.

### **Haul Roads**

Water trucks are used to wet the haul roads to minimize the release of dust from transportation activities at the station. Road watering is suspended during periods of freezing conditions when watering would be inadvisable for safety conditions (e.g., icy roads). Increased transportation activities related to other site activities will be monitored for potential need for increased road watering and/or additional fugitive dust control methods, including but not limited to, the possible use of chemical dust suppression agents.

### **CCR Surface Impoundment Closures**

All CCR surface impoundments are currently closed.

## Requirement 2 – Record of Citizen Complaints

**“The owner or operator of a CCR unit must prepare an annual CCR fugitive dust control report that includes... a record of all citizen complaints.”**

***[40 CFR §257.80(c)]***

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NIPSCO has not received any citizen complaints regarding CCR fugitive dust events at DHMGS as of December 2, 2025.

## Requirement 3 – Corrective Measures

**“The owner or operator of a CCR unit must prepare an annual CCR fugitive dust control report that includes... a summary of any corrective measures taken.”**

***[40 CFR §257.80(c)]***

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There has not been a need for corrective measures, as NIPSCO has not identified any CCR fugitive dust conditions that would require corrective measures or received any citizen complaints regarding CCR fugitive dust at DHMGS as of December 2, 2025.