

April 15, 2024

VIA E-MAIL AND CERTIFIED MAIL; RETURN RECEIPT REQUESTED

Mr. Jason Wilson  
Chief, Solid Waste Branch  
Alabama Department of Environmental Management  
1400 Coliseum Boulevard

**Re: Request for Extension of Closure Timeframe for the Plant Gorgas Ash Pond**

Dear Mr. Wilson,

Alabama Power Company (APC) previously prepared a notification of intent to close the Plant Gorgas Ash Pond (Ash Pond). This notification of intent to close was placed in the Plant Gorgas Operating Record on April 15, 2019, as required by ADEM Admin. Code r. 335-13-15-.07(3)(g) and 40 C.F.R. § 257.102(g) and posted to APC's CCR Compliance website in accordance with r. 335-13-15-.08(3)(i)7 and § 257.107(i)(7). Notification was also provided to the Director, as required by r. 335-13-15-.08(2)(i)7 and § 257.106(i)(7). According to r. 335-13-15-.07(3)(f)1.(ii) and § 257.102(f)(1)(ii), closure of an existing CCR surface impoundment must be completed within five years of commencing closure activities. Although closure activities have progressed in accordance with the Closure Plan and without major interruption since April 15, 2019, the closure process at the Plant Gorgas Ash Pond will not be completed within the required timeframe. Therefore, we write to request an extension of the closure timeframe for two years in accordance with r. 335-13-15-.07(3)(f)2(i) and § 257.102(f)(2)(i).

Under r. 335-13-15-.07(3)(f)2.(ii)(II) and § 257.102(f)(2)(ii)(B), the timeframe to complete closure may be extended in two-year increments for a maximum of five two-year extensions. Under r. 335-13-15-.07(3)(f)2.(i) and § 257.102(f)(2)(i), for each two-year extension sought, the owner or operator must demonstrate that completion of all closure activities was not feasible within the designated timeframes due to factors beyond the facility's control.

Closure of the Ash Pond is a large-scale construction project requiring, among other things, the handling of millions of cubic yards of material. As outlined in the Closure Plan, APC estimates it will take approximately 9 years to complete closure activities in accordance with the applicable regulatory requirements. APC initiated closure in April 2019 and anticipates completing closure activities in 2028. Therefore, the Closure Plan anticipated that closure of the Ash Pond would exceed the closure timeline of five years and require the allowable two-year extensions to complete closure. In light of the foregoing and in accordance with r. 335-13-15-.07(3)(f)2 and § 257.102(f)(2), APC requests a two-year extension to complete closure.

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.

Thank you for your attention to this matter. Please feel free to contact me if we may be of any assistance to the Department in its consideration of Alabama Power's request.

Sincerely,



Mike Godfrey  
General Manager, Environmental Affairs  
Alabama Power Company