PUBLIC HEARING STATEMENT

Application for Initial Permit
James M. Barry Electric Generating Plant
Permit 49-35

March 30, 2021

Good evening, my name is Devin Jenkins, and on behalf of the Alabama Department of Environmental Management, we thank you for your participation in the permitting process for the James M. Barry Electric Generating Plant, Permit 49-35.

Alabama Power Company has submitted to the Alabama Department of Environmental Management (ADEM) an application for the initial issuance of a Coal Combustion Residuals (CCR) Permit to Close for the Plant Barry Ash Pond and CCR Permit to Operate for the Plant Barry Gypsum Pond at the James M. Barry Electric Generating Plant. The Plant Barry Ash Pond is a CCR surface impoundment located in Sections 32 and 5, Township 1 North and 1 South, Range 1 East in Mobile County, Alabama consisting of approximately 670.85 acres with a disposal area that consists of approximately 593.23 acres.

The Plant Barry Gypsum Pond is a CCR surface impoundment located in Sections 31 and 5, Township 1 North and 1 South, Range 1 East in Mobile County, Alabama consisting of approximately 53.15 acres with a disposal area that consists of approximately 20.43 acres. The waste stream for the Plant Barry Gypsum Pond would be CCR, including fly ash, bottom ash, boiler slag, and flue gas desulfurization materials generated from burning coal for the purpose of generating electricity. The service area for the Plant Barry Gypsum Pond would be Alabama Power Company. The maximum average daily volume of waste disposed at the Plant Barry Gypsum Pond would be 2,000 cubic yards/day.

The proposed permit would require the Permittee to manage CCR in accordance with the conditions of the proposed permit, ADEM Admin. Code ch. 335-13-15, “Standards for the Disposal of Coal Combustion Residuals in Landfills and Surface Impoundments,” and the approved permit application.

Groundwater monitoring and corrective action requirements in the proposed permit establish a groundwater monitoring system of wells that provides an accurate representation of the groundwater quality underlying the units and a groundwater monitoring plan to establish appropriate sampling and analysis of the system to detect the presence of CCR constituents. For units where CCR constituents exceed acceptable levels, the proposed permit establishes corrective action requirements to remediate contamination caused by the units.

Closure criteria in the proposed permit establish requirements for all units to close in accordance with specified standards and timeframes. Post-closure criteria in the proposed permit require each unit be maintained for a period of time after closure, including maintaining groundwater monitoring and corrective action to ensure the long term safety of units that are closing.

Operating criteria in the proposed permit establish requirements for the disposal of CCR in all units approved to accept waste, including the allowable waste streams and daily volumes permitted to be disposed of, plans to control fugitive dust and inflow design floods and inspection requirements.

The Permittee must comply with all conditions of the proposed permit except to the extent and for the duration such noncompliance is authorized by a variance granted by ADEM. The first variance requests to exclude boron as an Appendix IV assessment monitoring constituent. The second variance requests groundwater protection standards of 6 micrograms per liter (µg/L) for cobalt; 15 µg/L for lead; 40 µg/L for lithium; and 100 µg/L for molybdenum. The third variance requests the final grade of the cover system be less than 5 percent and greater than 25 percent, as specified in the Permit Application, for the Plant Barry Ash Pond.

Based on our review of the initial permit application, the Department has made a preliminary determination that the proposed facility would be in compliance with the applicable State and federal solid waste disposal requirements and thus, protective of public health and the environment. The proposed permit includes the following conditions:

1. Upon renewal, the permit would be valid for a 10 year period.
2. The Permittee would conduct groundwater monitoring semiannually.
3. The Permittee would implement and maintain a corrective action program.
4. The Permittee would maintain the integrity of the final cover system throughout the life of the permit and post-closure period.
5. The Permittee would, at all times, properly maintain the facility and all systems in accordance with the application and the permit.
6. The Permittee would obtain the approval of ADEM for any change or modification to the facility or a system which might otherwise result in noncompliance with the permit or ADEM's Administrative Code.

The purpose of tonight's hearing is to provide an opportunity to receive public comment regarding the application and proposed permit. The Department welcomes your input to this process and will consider all technical comments prior to making a final decision concerning the issuance of this permit and will develop a response to comments, which will become part of the public record and be posted to the Department's eFile System.

Thank you again for participating in the hearing.