

PUBLIC HEARING STATEMENT

Application for Initial Permit
Charles R. Lowman Power Plant
Permit 65-06

July 22, 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 Charles R. Lowman Power Plant, Permit 65-06.

PowerSouth Energy Cooperative 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 Lowman Plant CCR Impoundment at the Charles R. Lowman Power Plant. The Lowman Plant CCR Impoundment is a CCR surface impoundment located in Section 21, Township 6 North, Range 2 East, in Washington County, Alabama consisting of approximately 317.31 acres with a disposal area that consists of approximately 66.68 acres.

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.

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 the final grade of the cover system be less than 5 percent and greater than 25 percent.

Previously approved variances to exclude boron as an Appendix IV assessment monitoring constituent and from ADEM Admin. Code r. 335-13-15-.06(6)(h)2., to the extent that provision precludes the use of federal groundwater protection standards (GWPS) of 6 micrograms per liter ($\mu\text{g/L}$) for cobalt; 15 $\mu\text{g/L}$ for lead; 40 $\mu\text{g/L}$ for lithium; and 100 $\mu\text{g/L}$ for molybdenum are no longer necessary because the Department amended ADEM Admin. Code ch. 335-13-15 on February 15, 2021 to remove boron as an Appendix IV constituent and establish GWPS for Cobalt at 6 $\mu\text{g/L}$, Lead at 15 $\mu\text{g/L}$, Lithium at 40 $\mu\text{g/L}$ and Molybdenum at 100 $\mu\text{g/L}$ in order to maintain consistency with the federal regulations. Therefore, these variances have not been included in the draft permit.

A previously approved variance from ADEM Admin. Code r. 335-13-15-.07(2) to rely on the April 11, 2021 cease placement deadline established by 40 C.F.R. § 257.101, will not be included in the draft permit, as that date has past, and a notification of intent to initiate closure has been submitted to the Department.

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.