



Prepared by
Georgia Power Company
241 Ralph McGill Blvd NE
Atlanta, Georgia 30308

**LEGACY CCR SURFACE
IMPOUNDMENT APPLICABILITY
REPORT**

PLANT MITCHELL ASH POND 1 (AP-1)

November 8, 2024

CERTIFICATION STATEMENT

Pursuant to § 257.100(f)(1)(ii)(A), I hereby 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.



Jennifer McNelly
Vice President, Environmental Affairs
Georgia Power Company

November 8, 2024

Date

LEGACY CCR SURFACE IMPOUNDMENT APPLICABILITY REPORT

Legacy CCR Surface Impoundment Contact Information

Facility Name:	Plant Mitchell
Legacy CCR Surface Impoundment:	AP-1
Identification number:	CCR Permit No. 047-024D(CCR)
Site Location:	5200 Radium Springs Rd Albany, GA 31705 31.437867, -84.133828
Owner:	Georgia Power Company
Owner Address:	241 Ralph McGill Blvd NE, Atlanta, GA 30308
Owner e-mail address:	Gpcenv2@southernco.com
Owner phone number:	404-506-4750

Introduction

On April 17, 2015, the United States Environmental Protection Agency (EPA) published in the Federal Register requirements regarding the management and disposal of CCR titled “40 CFR Parts 257 and 261: Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities; Final Rule” (i.e., 2015 federal CCR Rule). The 2015 federal CCR Rule, which became effective on October 19, 2015, established requirements regarding the design, operation, closure, post-closure care, monitoring, and corrective action for inactive, existing, and new CCR surface impoundments and existing and new CCR landfills.

In November 2016, the Georgia Environmental Protection Division (GA EPD) adopted amendments to the state’s Rules for Solid Waste Management that incorporated the 2015 federal CCR Rule (GA EPD 391-3-4-.10, i.e., the State CCR Rule). On January 10, 2020, EPA issued notice of approval for Georgia’s CCR permit program, and on February 10, 2020, the GA EPD was authorized by EPA to operate a partial CCR state permit program in lieu of the federal CCR program. The State CCR Rule regulates certain CCR units that were not included by EPA in the final 2015 federal CCR Rule. These CCR units are subject to the requirements of the State CCR Rule, which include obtaining a solid waste permit and routine groundwater monitoring and reporting. On June 28, 2022, GA EPD issued CCR Permit No. 047-024D (CCR) for the closure by removal of Plant Mitchell’s Ash Pond A, Ash Pond 1 and Ash Pond 2.

On May 8, 2024, EPA published in the Federal Register a final rule entitled, “Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals From Electric Utilities; Legacy CCR Surface Impoundments” (i.e., Legacy Rule). The Legacy Rule establishes regulatory requirements for inactive CCR surface impoundments at inactive facilities that meet the definition of “legacy CCR surface impoundment” as defined in 40 CFR § 257.53.

This applicability report for Plant Mitchell Ash Ponds 1 and 2 has been prepared to meet regulatory requirements of 40 CFR § 257.100(f)(1)(i-ii). Plant Mitchell includes three CCR Units that were not previously defined in or applicable to requirements of the 2015 federal CCR Rule, however, these CCR units are subject to the federal regulations in the Legacy Rule. Ash Ponds 1 and 2 are “Legacy CCR Surface Impoundments” as defined in 40 CFR § 257.53.

The Legacy Rule requires that owners of legacy CCR surface impoundments, “prepare a[n applicability] report for **each** CCR surface impoundment, no later than Friday, November 8, 2024.” 40 CFR § 257.100(f)(1) (emphasis added). Historically, GA EPD has regulated Plant Mitchell Ash Ponds 1, 2 and A together under CCR Permit No. 047-024D (CCR).¹ Nevertheless, to ensure strict compliance with the Legacy Rule, Georgia Power has prepared separate applicability reports for Ash Pond 1 and Ash Pond 2. Both applicability reports contain substantially similar information and have been prepared to meet regulatory requirements 40 CFR § 257.100(f)(1)(i-ii).

Site Description and Background

Plant Mitchell is located approximately 8 miles south of Albany, Georgia. It is comprised of approximately 516 acres, with the northern portion located in Dougherty County, and the southern portion located in Mitchell County. The former coal-fired electric generating facility was located to the north of Ash Ponds A, 1, and 2. Access to the site is controlled. Plant Mitchell began operation in 1948 and ceased generating electricity prior to October 19, 2015 (the effective date of the 2015 federal CCR Rule). The former coal-fired plant buildings have been demolished; however, a 115-kv switchyard and the 115-kv transmission towers remain in active service. Other than the switchyards and associated infrastructure, the current use of the property is limited to the closure construction activities associated with the CCR units. CCR removal activities are underway at Plant Mitchell, with active removal ongoing at Ash Ponds 1 and 2.

Closure Status

While legacy surface impoundments have been previously exempt from federal regulatory requirements, prior to November 8, 2024, GA EPD has regulated Ash Pond A, Ash Pond 1, and Ash Pond 2 under its state CCR permit program. On June 28, 2022, GA EPD issued CCR Permit No. 047-024D (CCR) for the closure of Plant Mitchell’s Ash Pond A, Ash Pond 1, and Ash Pond 2. A Notification of Intent to Initiate Closure was submitted to GA EPD on October 17, 2019. Plant Mitchell is currently in active Closure by Removal in accordance with the CCR Permit. Georgia Power intends to close Ash Pond 1 and Ash Pond 2 by removal in accordance with 40 CFR § 257.102(c) and corresponding State Rule 391-3-4-.10(7)(b) and relocate the CCR to a permitted landfill and/or sell it for beneficial use. Details of the Closure by Removal are included in the EPD approved Permit and Permit Documents located on the Georgia Power CCR Website.

¹ The third and final impoundment at Plant Mitchell is Ash Pond A. Ash Pond A is regulated by the State of Georgia under the State CCR Rules as a “Dewatered Surface Impoundment.” *See* Ga. Comp. R. & Regs. 391-3-4-.01(2)(a)(1). Ash Pond A does *not* meet the Legacy Rule’s definition of “Legacy CCR Surface Impoundment.” The closure of Ash Pond A will be timely addressed under the State CCR Rules and, to the extent applicable, the Legacy Rule.

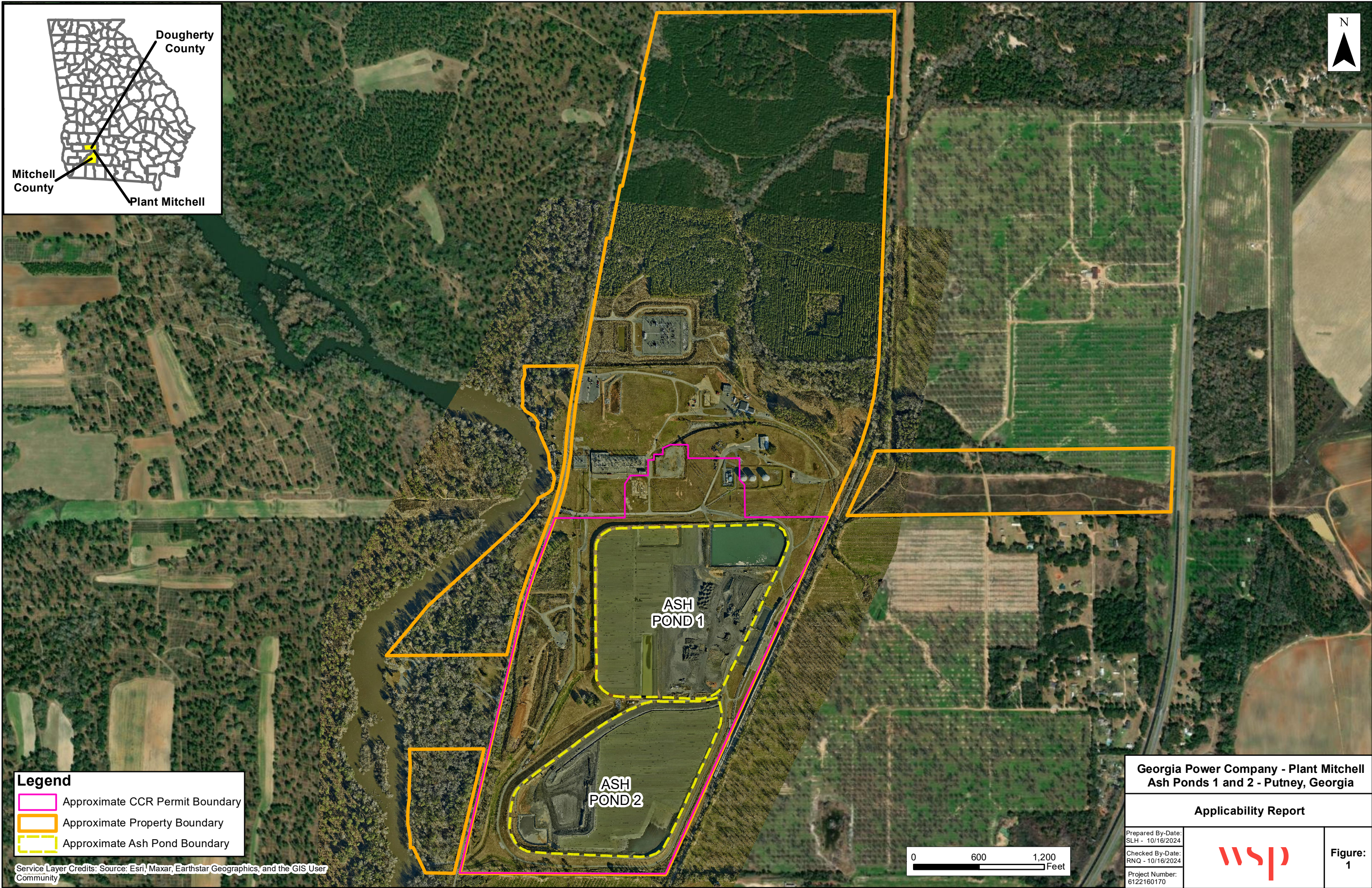
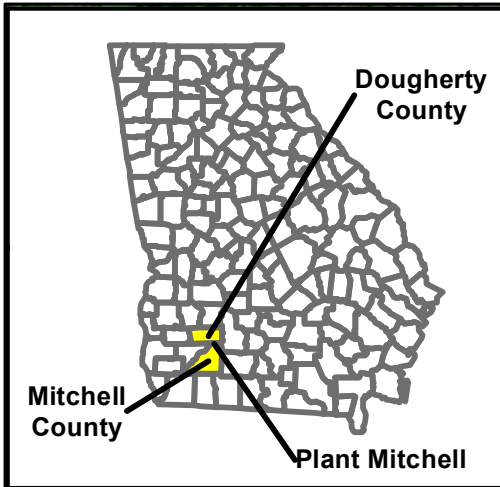
Groundwater Monitoring Program Status

Groundwater monitoring has been implemented at Plant Mitchell in accordance with the State CCR Rule that incorporates the 2015 CCR Rule by reference. The CCR background study was initiated in August 2016 and was completed in October 2018. The first detection monitoring event was conducted in March 2019. Plant Mitchell continues to complete semiannual monitoring and reporting in accordance with the State CCR Rule. Groundwater Monitoring Reports are submitted to GA EPD and posted on the Georgia Power CCR Website.

CCR Rule Compliance Data and Information Website

More information can be found at the Georgia Power CCR website for these units located at: <https://www.georgiapower.com/our-impact/environment/environmental-compliance/plant-list/plant-mitchell.html>

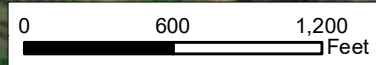
Attachment: Plant Mitchell Site Figure



Legend

- Approximate CCR Permit Boundary
- Approximate Property Boundary
- Approximate Ash Pond Boundary

Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



**Georgia Power Company - Plant Mitchell
Ash Ponds 1 and 2 - Putney, Georgia**

Applicability Report

Prepared By-Date:
SLH - 10/16/2024
Checked By-Date:
RNQ - 10/16/2024
Project Number:
6122160170



**Figure:
1**