



June 2, 2020

Via Electronic Mail

Chuck Mueller, Branch Chief
Land Protection Branch,
Environmental Protection Division
chuck.mueller@dnr.ga.gov

Re: Request for Comment and Public Hearing on Closure-In-Place CCR Draft Permits

Dear Mr. Mueller,

The Sierra Club Georgia Chapter respectfully requests that the Environmental Protection Division conduct in-person public hearings for the upcoming closure-in-place coal combustion residential (CCR) draft permits for Georgia Power's Plant Hammond Ash Pond AP-3, Plant Bowen AP-1, and Plant Wansley AP-1, as well as for all future closure-in-place CCR draft permits. In addition to in-person public hearings, we request that you accept public comments for a minimum of sixty (60) days from the day you post the draft permits. Given the gravity of these closure-in-place permits, input from Georgians is key to protecting public safety.

As you know, Georgia Power has submitted permit applications for the closure of ash basins at its coal-fired power plants. The closure plans for Plant Hammond's AP-3, Plant Bowen's AP-1, and Plant Wansley AP-1 are of particular interest to Sierra Club's 75,000 Georgia members and supporters. This is not only because these closure plans involve "capping in place" the CCR material, versus excavating and transporting it to the relative safety of a dry, lined landfill away from the hydrological soil pressures of their current locations and proximity to important bodies of water, but also because Bowen AP-1 and Hammond AP-3 have a history of sinkhole collapses beneath the ash basins due to karst terrain.

At Plant Wansley, according to a recent report by Earthjustice and the Environmental Integrity Project, cobalt levels are ten to twenty times higher than the EPA Regional Screening Level. Other dangerous pollutants found at unsafe levels include boron, lithium, radium, and sulfate.¹ As we pointed out in an expert report submitted to the Georgia Public Service Commission, Georgia Power conducted predictive groundwater modeling at Plant Wansley, but with devastating results: approximately seventy-five feet of CCRs will remain submerged in

¹ See "Georgia at a Crossroads" available at: <https://earthjustice.org/features/coal-ash-contamination-georgia-groundwater>

groundwater even after cap-in-place is completed.² The details of how EPD will address these issues in the draft permit and enforcement at Wansley are vitally important.

At Plant Hammond AP-3, there are numerous pollutants present at unsafe levels, including: arsenic, boron, cobalt, molybdenum, and sulfate. Leaving the CCR materials in AP-3, which is likely to be sitting in groundwater, imperils the nearby Coosa River and is in stark contrast to Georgia Power's plan to excavate Hammond AP-1 and AP-2. Allowing the coal ash to remain saturated in groundwater is precisely the issue we were concerned about in our recent comments on the draft permits for Hammond AP-1 and AP-2. While those two basins will be excavated, the final grade will not be able to meet the required two-foot separation from the water table leading to either a temporary pond or permanent pond with direct surface water connection to the Coosa River preventing the establishment of a vegetative cover and creating a groundwater discharge point.³ These same issues will arise for Hammond AP-3. However, in this case, Georgia Power plans to cap-in-place the ash basin, resulting in even greater risk of groundwater contamination. In addition, Georgia Power's plan to erect solar panels on top of the closed ash pond represents an ironic but unfortunate nod to cleaner and safer electricity generation, and creates an additional concern about the much-needed and likely inevitable necessity to excavate AP-3.

At Plant Bowen, there is a considerable risk of another sinkhole collapse due to the karst terrain upon which Bowen AP-1 was built. One sinkhole event occurred in 2002 which resulted in eleven cubic yards of coal ash flowing through groundwater and depositing into the Euharlee Creek. A second sinkhole collapse occurred just six years later. These incidences are prime examples of the unstable nature of the area upon which Bowen AP-1 sits and the need to excavate, not cap-in-place, the coal ash. Georgians who live, work and recreate near Plant Bowen and Euharlee Creek must be heard regarding whether they want to continue to live with the risk of another sinkhole collapse that could lead to more coal ash seeping into groundwater.

As you know, there is tremendous interest across the State in the methods by which Georgia Power intends to handle its coal ash and comply with the relevant rules and regulations. Questions of contamination and seepage into groundwater have become important political issues and have generated national attention and interest in Georgia's legacy pollution from burning coal. As a result of this public interest, it's important that EPD hear directly from the public and interested stakeholders across our State that would like to comment on the permits before they become finalized.

We urge you to set up and publicize a forum during which public input can be gathered, and we would like to partner with you in maximizing participation in such an event, and making sure that it is respectful and helpful in making the permits protective of the environment and public health. We would be happy to share our thinking on format, as well as ideas for promoting the event, but the bottom line is that the stakes here are high – and it is vital that the public be

² See Direct Testimony of Rachel Wilson, Exhibit RW-4, Georgia Power Company 2019 Base Rate Case, Docket No. 42516, available at: <https://psc.ga.gov/search/facts-document/?documentId=178649>.

³ See May 15, 2020 Sierra Club Comments on Draft CCR Permit to Georgia Power Plant Hammond Existing CCR Surface Impoundment AP-1 and May 15, 2020 Draft CCR Permit to Georgia Power Plant Hammond Existing CCR Surface Impoundment AP-2.

allowed to speak in-person to the permits that will dramatically affect the health and wellbeing of countless Georgians.

These meetings should be in-person to maximize possible input from interested Georgians, but due to complications stemming from the COVID-19 pandemic, we understand that this public hearing may need to be done online. We understand that you have had these kinds of public digital video “town hall” meetings in the past, and that such an event is well within EPD’s capabilities.

If you have any questions, please feel free to contact me at (404) 607-1262 or jessica.morehead@sierraclub.org. Thank you for considering this request.

Sincerely,



Jessica Morehead
Chapter Director
Sierra Club Georgia Chapter



Stephen Stetson
Senior Campaign Representative
Sierra Club Beyond Coal Campaign

CC: Richard Dunn, EPD Director
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