



April 12, 2018

Ms. Ali Tarquino Morris
Program Manager, Division of Municipal and Residual Waste
Bureau of Waste Management
Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17105

Ref: Sunbury Generation LP-Ash Basin Closure Project

Dear Ms. Morris:

As you are aware, the Environmental Protection Agency implemented the *Disposal of Coal Combustion Residuals Rule* on December 19, 2014 and it was published and finalized on April 17, 2015. This rule finalized national regulations to provide a comprehensive set of requirements for the safe disposal of Coal Combustion Residuals ("CCRs"), commonly known as coal ash, from coal-fired power plant.

The Sunbury Generation LP ("Sunbury") ash basin impoundment is a CCR regulated site. In addition to the requirements set forth in the CCR rule, the impoundment is also regulated as a PADEP Solid Waste Impoundment with specific requirements regarding closure activities.

In March, 2014, Sunbury ceased the coal burning operations of the facility and no longer produced CCR's. In May of 2014, Sunbury officially retired the plant and notified EPA of our intention to no longer operate the coal plant thus no longer producing CCR's. During this same time, we worked extensively with the PADEP Northcentral region to amend our site closure plan. These activities included:

- Retaining LR Kimball Engineers to act as the owner's engineer. Their duties included: Revising the closure plan, site surveys, breach and stability analysis, and correspondence with the department's engineers.
- Mobilized additional personnel, equipment, and brought in material to start the physical closure activities.
- Engaged the PADEP Dams and Waterways Engineers with a formal review of the closure plan. Dams and Waterways and Waste Management personnel met, and reviewed changes and agreed on closure grades. Additional processes were implemented that met the goals of their respective department and respective regulations.
- Prepared the "Official Closure Notice" as required by the CCR Rule, created our CCR required website and posted our Engineers assessment/inspection and certification.

As we completed these above tasks, Waste Management approved the final closure plan for the site and in the spring of 2016 we commenced final-closure activities. This included the installation of swales, installation of a geo synthetic liner, moving material, final cover placement and grading and establishing vegetation in the swales on the east south and west sides of the impoundment. We worked daily (weather permitting) establishing base and final grades in some areas until December of 2017. Work was ceased in December of 2017 due to excessive precipitation and winter weather.

On January 11, 2018, we met with the North Central Region-Bureau of Waste Management representatives to formally introduce our intention to seek an extension to the closure schedule. We reviewed the CCR rule in-depth as well as the Preamble to the Federal Rule and identified provisions that allow the regulating state to issue time extensions for just and reasonable cause.

Due to the impact of the unusually cold and wet winter weather and with our area receiving over 16.3 inches of precipitation from October 2017 through March of 2018, we have been unable to complete the final covering, grading and seeding of the ash basin. Additionally, due to frozen ground conditions over the winter, it generally is unacceptable to place frozen material as final cover in these types of projects.

In accordance with the provisions of 257.102, please accept this letter as our formal request to extend our closure timeline until August 31, 2018. We have attached the provisions of the rule that address time extensions. Please feel free to contact me directly with any questions or comments this request may generate.

Regards,



Edward Griegel,
Vice President Operations
Sunbury Generation LP

Cc: P Brennan, NC Regional Office Waste Management
File
Kimball Engineering, Dave Minnear, P.E.

***257.102**

(2)(i) Extensions of closure timeframes. The timeframes for completing closure of a CCR unit specified under paragraphs (f)(1) of this section may be extended if the owner or operator can demonstrate that it was not feasible to complete closure of the CCR unit within the required timeframes due to factors beyond the facility's control. If the owner or operator is seeking a time extension beyond the time specified in the written closure plan as

required by paragraph (b)(1) of this section, the demonstration must include a narrative discussion providing the basis for additional time beyond that specified in the closure plan. The owner or operator must place each completed demonstration, if more than one-time extension is sought, in the facility's operating record as required by § 257.105(i)(6) prior to the end of any two-year period. Factors that may support such a demonstration include:

(A) Complications stemming from the climate and weather, such as unusual amounts of precipitation or a significantly shortened construction season.