



Coletto Creek Power, LLC
Luminant
6555 Sierra Dr.
Irving, TX 75039

November 30, 2022

Re: Annual Progress Report (§ 257.103(f)(2)(x)) for the Coletto Creek Power Plant Primary Ash Pond

Pursuant to 40 C.F.R. § 257.103(f)(2)(x), Coletto Creek Power, LLC has prepared this “annual progress report documenting the continued lack of alternative capacity and the progress towards the closure of the CCR surface impoundment.”

Continued Lack of Alternative Capacity

As set forth in the retirement demonstration dated November 30, 2020, for the Coletto Creek Power Plant Primary Ash Pond (Primary Ash Pond), no alternative capacity existed for the CCR and non-CCR waste streams that are being disposed in the Coletto Creek Power Plant Primary Ash Pond. As EPA explained in the preamble to the proposed Part A revisions, “it would be illogical to require [] facilities [ceasing power generation] to construct new capacity to manage CCR and non-CCR wastestreams.” 84 Fed. Reg. 65,941, 65,956 (Dec. 2, 2019). EPA again reiterated in the preamble to the final revisions that “[i]n contrast to the provision under § 257.103(f)(1), the owner or operator does not need to develop alternative capacity because of the impending closure of the coal fired boiler.” 85 Fed. Reg. 53,516, 53,547 (Aug. 28, 2020). Circumstances have not changed at the Coletto Creek Power Plant, and there are no existing options to dispose of CCR and non-CCR waste streams other than in the Primary Ash Pond. Accordingly, there is a continued lack of alternative capacity at the Coletto Creek Power Plant.

Progress Towards Closure

As set forth in the retirement demonstration dated November 30, 2020, for the Coletto Creek Power Plant, construction of closure is expected to begin on April 17, 2025, with closure complete by October 17, 2028, as required by 40 C.F.R. 257.103(f)(2)(iv)(B). Circumstances have not changed with respect to completion of closure activities at the Coletto Creek Power Plant. The company is aware of and continues to consider the reliability concerns identified by the North American Reliability Electric Corporation and some Independent System Operators.

Sincerely,

A handwritten signature in black ink that reads 'Cynthia E. Vodopivec'.

Cynthia Vodopivec

Senior Vice President – Environmental, Health & Safety