

Coleto Creek Power, LLC
6555 Sierra Dr.
Irving, TX 75039

November 30, 2025

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

Pursuant to 40 C.F.R. § 257.103(f)(2)(x), Coleto 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 Coleto 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 Coleto 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 Coleto 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 Coleto Creek Power Plant.

Progress Towards Closure

As set forth in the retirement demonstration dated November 30, 2020, for the Coleto Creek Power Plant, construction of closure is expected to be complete by October 17, 2028, as required by 40 C.F.R. 257.103(f)(2)(iv)(B). Dewatering activities have begun and CCR material consolidation activities are scheduled to begin in 2026. Circumstances have not changed with respect to completion of closure activities at the Coleto Creek Power Plant. The plant plans to cease coal operations and convert the plant to operate on natural gas no later than 2027. The planned conversion is not expected to impact closure of the Primary Ash Pond. Dewatering plans and closure designs are currently being finalized to meet the previously submitted schedule and complete closure by October 17, 2028. 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,



Cynthia Vodopivec

Senior Vice President – Environmental, Health & Safety