

Chavers, Eric

From: Huggins, Richard <Huggins.Richard@epa.gov>
Sent: Monday, August 7, 2023 11:26 AM
To: Vodopivec, Cynthia
Cc: Collins, Renee; Mitchell, David; Behan, Frank; Celeste, Laurel
Subject: RE: Martin Lake Part A Application - Withdrawl Request

EXTERNAL EMAIL

Good afternoon Cynthia,

Thank you for your email that notified EPA that the East Ash Pond, West Ash Pond, and New Scrubber Pond, three of the 4 units covered by the CCR Part A demonstration submitted under 40 C.F.R. § 257.103(f)(1) for Martin Lake, ceased receipt of waste by July 24, 2023.

EPA reviewed the demonstration and determined that it included the required information, analyses and documentation specified under 40 C.F.R. § 257.103(f)(1), and consequently determined on January 11, 2022 that the demonstration was complete. As a consequence, the deadline for the East Ash Pond, West Ash Pond, and New Scrubber Pond, three of the four CCR units covered by the demonstration, to cease receipt of waste was tolled until each unit ceased receipt of waste. See, 40 C.F.R. § 257.103(f)(3)(ii).

Additionally the Part A demonstration covered PDP5 at Martin Lake but since tolling for that unit is covered under its Part B application, Luminant is requesting to withdraw the Part A demonstration in its entirety.

Accordingly, EPA has updated the PART A webpage ([linked here](#)) to show that you have ceased receipt of waste and withdrawn.

Richard Huggins Jr., Chief
Energy Recovery and Waste Disposal Branch
Office of Resource Conservation and Recovery
U.S. Environmental Protection Agency
Desk: 202-566-0543 iPhone: 571-345-6855

From: Vodopivec, Cynthia <Cynthia.Vodopivec@vistracorp.com>
Sent: Monday, July 24, 2023 11:22 AM
To: Huggins, Richard <Huggins.Richard@epa.gov>
Cc: Collins, Renee <Renee.Collins@luminant.com>; Mitchell, David <David.Mitchell@vistracorp.com>
Subject: Martin Lake Part A Application - Withdrawl Request

Dear Mr. Huggins,

On November 25, 2020, Luminant Generation Company LLC (Luminant) submitted a complete demonstration to the U.S. Environmental Protection Agency (EPA) that requested approval of a site-specific alternative deadline to initiate closure pursuant to 40 C.F.R. § 257.103(f)(1) for the Ash Pond Area at Martin Lake (which consists of three ponds—East Ash Pond, West Ash Pond, and New Scrubber Pond) and Permanent Disposal

Pond 5 (PDP5). In that submittal, Luminant estimated that the retrofit of the New Scrubber Pond would be completed by October 31, 2022. On January 11, 2022, EPA determined that the application was complete, confirming that the deadline to cease receipt of waste is tolled. Luminant provided an update to EPA on June 10, 2022, indicating that the East and West Ash pond retrofits are complete but that the retrofit of the New Scrubber Pond is not expected until Summer of 2023 based on difficulties encountered in removing material from the impoundment.

All waste flows to the New Scrubber Pond have now ceased, and the retrofit is underway and expected to be completed in the next few months. Accordingly, given that all waste flows have ceased, it is no longer necessary for EPA to issue a further extension of the April 11, 2021 deadline to cease receipt of waste at the Ash Pond area. The Part A application is also no longer needed for PDP5 given the tolling that is in place under the pending Part B application, which EPA also determined to be complete. Therefore, Luminant is officially requesting to withdraw the Part A demonstration request that was submitted on November 25, 2020.

Please let me know if you have any questions or concerns.

Best Regards,

Cynthia E. Vodopivec, P.E.
SVP- Environmental, Health & Safety
M. 860-604-4844