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December 11, 2025

Mr. Jason Wilson  
Chief, Solid Waste Branch  
1400 Coliseum Blvd  
Montgomery, AL 36130

**Re: Request for Extension of Time to Close CCR Facilities**  
**PowerSouth Energy Cooperative**  
**Charles R. Lowman Power Plant**

Dear Mr. Wilson:

On behalf of PowerSouth Energy Cooperative (PowerSouth), this letter requests an extension of time to close facilities for the disposal of coal combustion residuals (CCR) at the Charles R. Lowman Power Plant. Thank you for your consideration of this request.

PowerSouth provided the Alabama Department of Environmental Management (ADEM) notice of the initiation of closure in April 2021 and requested an extension of time to complete closure in August 17, 2023, which ADEM granted on August 28, 2023. As a result, the current closure deadline is April 11, 2028. This letter requests an additional extension to April 11, 2030.

Regulations of ADEM and U.S. Environmental Protection Agency (EPA) require the completion of closure within five years after the process begins but also authorize extensions of two years. ADEM Admin. Code r. 335-13-15-.07(3)(f)1.(ii) & 2.(ii)(II); 40 CFR 257.102(f)(1)(ii) & (2)(i). Up to five two-year extensions are available for a surface impoundment larger than 40 acres if it is “not feasible to complete closure of the CCR unit within the required timeframes due to factors beyond the facility’s control.” ADEM Admin. Code r. 335-13-15-.07(3)(f)2.(i) & (ii)(II); 40 CFR 257.102(f)(2)(i) & (ii)(B). The facility must demonstrate that the extension is necessary with “a narrative discussion providing the basis for additional time beyond that specified in the closure plan.” ADEM Admin. Code r. 335-13-15-.07(3)(f)2.(i); 40 CFR 257.102(f)(2)(i). The current deadline for closure falls on April 11, 2028, unless ADEM approves the request, which would extend the deadline to April 11, 2030.

PowerSouth’s previous extension request described construction-related factors that have contributed to the need to adjust the schedule. Those factors included greater revegetation within the impoundment footprint than originally anticipated, requiring more intensive removal activities; preparing a nearby PowerSouth-owned borrow pit and an on-site dredge spoils pond to make those facilities suitable and obtaining a NPDES discharge permit; unforeseen shutdowns in the dewatering treatment system; and a longer period than expected to remove interstitial water remaining in the CCR material to ensure a safe working surface. PowerSouth also anticipated some period of time to bid out necessary work items, due in part to vendor-related delays

associated with staffing challenges and PowerSouth's identification of areas of improvement with respect to contractor safety plans and instrumentation, schedules, and bidding requirements.

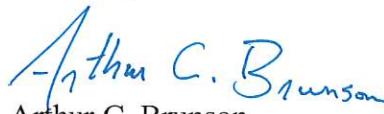
The efforts described in our previous request remain ongoing. Since our previous extension request, however, factors that are beyond PowerSouth's control have necessitated the consideration of measures that were not incorporated into the original plans for closure and corrective action. PowerSouth remains confident that those plans are lawful, safe, and effective. Nevertheless, statements by the U.S. Environmental Protection Agency regarding the closure processes of various third parties raise questions about whether additional engineering controls may be required as a matter of federal law. In order for PowerSouth to remain in a position to maintain regulatory compliance on a continuous basis, PowerSouth must identify and consider any other available measures that may be responsive to EPA's statements.

PowerSouth's obligation to consider potential changes to the closure plan raises a possibility of incorporating features that differ from the current plan. That, in turn, has implications for the construction schedule, including additional design work, changes to bid packages and work orders, and mobilization of personnel and equipment. Additional time is needed for PowerSouth to identify possible plan revisions, design any new project elements, determine technical specifications, and identify vendors. Depending on the measures identified, this may in turn require reconsideration of the sequencing and timing of the phases of construction. Additional time is required to account for these contingencies.

Thank you for your consideration of this request. Please feel free to contact Dustin Kilcrease at [dustin.kilcrease@powersouth.com](mailto:dustin.kilcrease@powersouth.com) or (334) 427-3368 if we can provide additional information or assistance.

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this demonstration and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Sincerely,

  
Arthur C. Brunson  
VP, Legal and Corporate Affairs



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Andalusia, Alabama

## Lowman Ash Pond Closure Schedule

Drawn By: H. Jackson  
Reviewed By: D. Kilcrease

Date: 12/10/2025  
Date: 12/10/2025

## LEVEL 1 SCHEDULE

