

VIA EMAIL (TO CROSSLAND.ANDY@EPA.GOV & DEROBERTIS.CECILIA@EPA.GOV)

July 9th, 2024

Andy Crossland, Director
Cecilia DeRobertis, Deputy Director
Materials Recovery and Waste Management Division
Office of Resource Conservation and Recovery
United States Environmental Protection Agency
1200 Pennsylvania Avenue NW, MC:5304T
Washington, DC 20460

**RE: McElroy's Run CCR Disposal Impoundment, West Virginia
Withdrawal of the November 30, 2020 Alternative Closure Demonstration**

Dear Mr. Crossland and Mrs. DeRobertis,

On November 30, 2020, pursuant to applicable provisions of the federal CCR Rule¹, Allegheny Energy Supply Company, LLC ("AES") submitted an alternative closure demonstration to the United States Environmental Protection Agency ("EPA") for the McElroy's Run CCR Disposal Impoundment located adjacent to the Pleasants Power Station near Willow Island, West Virginia. This alternative closure demonstration requested EPA's approval of a site-specific alternate deadline to initiate closure pursuant to 40 C.F.R. § 257.103(f)(2).

On January 11, 2022, EPA issued a determination letter indicating that AES's November 30, 2020 request for a site-specific alternate deadline was complete and contained sufficient information for EPA to evaluate the merits of the request. As a result of that completeness determination, EPA confirmed that the deadline for the McElroy's Run CCR Disposal Impoundment to cease receipt of waste is tolled until EPA issues a final decision on the alternative closure demonstration.

Although the CCR Rule's deadline for ceasing placement of CCR materials remains tolled, the McElroy's Run CCR Disposal Impoundment ceased receiving CCR materials from the Pleasants Power Station on June 1, 2024. Piping changes associated with the landfill leachate management system at the McElroy's Run facility have been completed such that discharges from the landfill leachate management system to the impoundment have ceased as of July 9th, 2024. As such, all receipt of waste at the McElroy's Run CCR Disposal Impoundment has ceased, and AES will continue with closure of the McElroy's Run CCR Disposal Impoundment in accordance with the requirements of the CCR Rule.

¹ The CCR Rule is codified as *Standards for the Disposal of Coal Combustion Residuals in Landfills and Surface Impoundments*, Subpart D, Part 257 of the Code of Federal Regulations, Title 40.

Based on the cessation of CCR materials from the Pleasants Power Station and of the leachate discharges, no further tolling of the April 11, 2021 deadline is required. Accordingly, contingent on EPA's written confirmation that the April 11, 2021 deadline has been tolled through this withdrawal of the alternative closure demonstration, AES hereby informs EPA that its November 30, 2020 Alternative Closure Demonstration for the McElroy's Run CCR Disposal Impoundment is hereby withdrawn.

Sincerely,



Mark Vindivich
Manager – Remediation, CCR & Environmental Services

cc:

Frank Behan, USEPA (via electronic delivery to behan.frank@epa.gov)
Kirsten Hillyer, USEPA (via electronic delivery to hillyer.kirsten@epa.gov)
David Frederick, AES (via electronic delivery to frederickdave@firstenergycorp.com)