

# 1. INTRODUCTION

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## OVERVIEW

Plant Yates is located at 708 Dyer Road, on approximately 2,400 acres on the east bank of the Chattahoochee River in Coweta County, Georgia, approximately eight miles northwest of the city of Newnan. Plant Yates originally operated seven coal-fired steam generating units. Five of the units were retired in 2015 and the two largest units were converted from coal to natural gas and currently operate as a natural gas electric generation plant owned by Georgia Power Company (Georgia Power).

Plant Yates is comprised of multiple Coal Combustion Residual (CCR) units which will be permitted separately according to Chapter 391-3-4-.10, Coal Combustion Residuals of the Georgia Rules for Solid Waste Management (State CCR Rules). Chapter 391-3-4-.10 incorporates by reference the provisions contained in the United States Environmental Protection Agency (USEPA) Title 40 of the Code of Federal Regulations 40 CFR 257 (Federal CCR Rule). Chapter 391-3-4-.10(9) of the State CCR Rules requires all CCR units in Georgia to obtain a solid waste handling permit.

The permit applications for the Plant Yates CCR units are as follows (see Figure 1):

- CCR Landfill - Gypsum Stack (Gypsum Stack) is an Inactive CCR landfill that was closed by removal and all removal and restoration activities were completed in late 2016;
- CCR Landfill – R6 CCR Landfill is an Inactive CCR landfill that is being closed in place;
- CCR Surface Impoundment – Ash Pond 1 (AP-1) is an Inactive CCR surface Impoundment that was closed by removal and closure construction has been completed;
- CCR Surface Impoundment – Ash Pond 2 (AP-2) is an Existing CCR surface Impoundment that will be closed by removal; and
- CCR Surface Impoundments – The Ash Management Area (AMA) is located within the former footprints of Ash Pond 3 (AP-3) and Ash Pond B' (AP-B'). This multi-pond area is currently being consolidated and closed in place and contains CCR from AP-1 and AP-2 (permitted separately as stated above) and Ash Pond A (AP-A) and Ash Pond B (AP-B) (included as part of the AMA permit application). AP-A is an Inactive CCR surface impoundment that was closed by removal and closure construction was completed in June 2017. AP-B is an Existing CCR surface impoundment that is also undergoing closure by removal.

Pursuant to the requirements of Chapter 391-3-4-.10(9), Georgia Power has prepared this permit application for the closure of the Plant Yates CCR unit AP-1. In accordance with 391-3-4-.10(2) of the State CCR Rule, which incorporates the definitions of the Federal CCR Rule (40 CFR 257.53), AP-1 meets the definition of an Inactive Surface Impoundment, as the ash pond no longer received CCR on or after October 19, 2015 and still contained both CCR and liquids on and after October 19, 2015.

Georgia Power began to comply with the requirements of the Federal CCR Rule for closure of inactive impoundment prior to the issuance of the State CCR Rule. For AP-1, this consisted of initiating closure activities under the “3-year closure provision” provided in 40 CFR 257.100(b)(5) of the Federal CCR Rule. This provision was vacated and removed from the amended Federal CCR Rule published in August 2016.

### **Summary of Closure Activities**

A Notification of Intent to Initiate Closure of AP-1 was completed on December 7, 2015, as required by 40 CFR 257.100, and posted to the facility’s operating record and to Georgia Power’s website under Environmental Compliance. A copy of this notice has also been included in Part B of this permit application.

AP-1 encompassed a total closure area of 30.26 acres. The AP-1 closure-by-removal activities consisted of excavation and removal of all visible CCR until native soils were encountered (CCR/soil interface) indicating that the CCR has been removed. Following removal of all visible CCR, the area was inspected, documented by Construction Quality Assurance (CQA) personnel, and surveyed. In addition, a minimum 6-inch layer of underlying soil was removed below the verified CCR/soil interface. The bottom of excavation surface was then surveyed to confirm a minimum of 6” excavation below the CCR/soil interface. Site restoration activities are currently underway with placement of earthen fill within the excavation which will be graded to promote positive drainage and revegetation.

A closure construction report documenting the completion of the CCR removal activities has been prepared by Brantley Engineering, LLC, dated April 13, 2018, and submitted to GA Environmental Protection Division (EPD) under separate cover. Acknowledgement of CCR removal was provided by EPD in correspondence dated November 3, 2020. See the Proposed Grading Plan, Sheet 6 of 7, in the Permit Closure Drawings for CCR Removal Limits and CCR Permit Boundary.

### **ASH POND 1 CLOSURE BY REMOVAL CCR PERMITTING REQUIREMENTS**

Georgia Power has prepared this permit application for the closure by removal of AP-1 to address State CCR Rule criteria specified for Inactive Surface Impoundment as required in 391-3-4-.10(9)(b) and 391-3-4-.10(9)(c)6. as follows:

#### General CCR Unit Permit Application Requirements

- *391-3-4-.10(9)(b)1. - A completed form designated by EPD.*  
The completed form is included in Section 2 of Part A of the permit application.
- *391-3-4-.10(9)(b)2. - Written verification that the site conforms to all local zoning or land use ordinances.*  
Zoning Confirmation is included in Section 4 of Part A of the permit application.
- *391-3-4-.10(9)(b)3. - Property boundary survey and legal description.*

The property boundary survey and legal description is included in the Closure Drawings in Section 7 of this Permit Application.

- *391-3-4-.10(9)(b)4. - Financial assurance mechanism meeting the criteria in Rule 391-3-4-.13.*  
In compliance with applicable securities laws and regulations, Georgia Power will provide specific cost estimates for remaining closure activities during the permit application review process as estimates are developed and finalized. These estimates will be submitted to EPD prior to issuance of the draft permit. Georgia Power will provide a demonstration of financial assurance upon approval of closure cost estimates by EPD.
  
- *391-3-4-.10(9)(b)5. - A qualified professional engineer's certification that all application requirements have been met.*  
The professional engineer's certification is included in Section 3 of Part A of the permit application.

Inactive CCR Surface Impoundment Permit Application Requirements:

- *391-3-4-.10(9)(c)6. - Inactive Surface Impoundments. An owner or operator of an inactive surface impoundment shall complete closure of the CCR unit as specified in 40 CFR 257.100 no later than April 17, 2018 or submit a permit application for an existing CCR surface impoundment, including:*
  - ✓ *391-3-4-.10(9)(c)6.(v) – Written closure plan that includes at a minimum:*
    - *391-3-4-.10(9)(c)6.(v)(I) - Narrative describing how the CCR unit will be closed including the elimination of free liquids and stabilization of remaining waste or by closure through removal of CCR.*

Because AP-1 is being closed by removal, only 391-3-4-.10(9)(c)6(v)(I) is required. This requirement is addressed in the closure plan in Part A of this permit application. The Closure Narrative included in Part A describes the closure criteria used to close AP-1.

Existing CCR Surface Impoundment Permit Application Requirements:

The requirements for an existing surface impoundment are also addressed in this permit application. Those requirements are discussed after the inactive surface impoundment permit application requirements below.

- *391-3-4-.10(9)(c)5.(i) - Location restriction demonstrations required by 40 CFR 257.60, 40 CFR 257.61, 40 CFR 257.62, 40 CFR 257.63, and 40 CFR 257.64.*

The location demonstrations have been completed and posted to the Georgia Power Company website.

- *391-3-4-.10(9)(c)5.(ii) - Description of the CCR surface impoundment's design criteria required by 40 CFR 257.71 and 40 CFR 257.73.*

AP-1 was an unlined CCR surface impoundment that has been closed by removing all CCR in accordance with 391-3-4-.10(7)(b) which incorporates the closure requirements in 40 CFR 257.101(b)(1). The following documents have been prepared, placed in the facility's operating record, posted online, and are included in Part B of this permit application.

- Liner design criteria per 40 CFR 257.105(f)(2), 40 CFR 257.106(f)(3), 40 CFR 257.107(f)(3)
- Documentation of a permanent identification marker per 40 CFR 257.105(f)(4)
- Initial Hazard Potential Classification per 40 CFR 257.105(f)(5), 40 CFR 257.106(f)(4), 40 CFR 257.107(f)(4)
- History of Construction per 40 CFR 257.105(f)(9), 40 CFR 257.106(f)(8), 40 CFR 257.107(f)(8)
- Initial Structural Stability per 40 CFR 257.105(f)(10), 40 CFR 257.106(f)(9), 40 CFR 257.107(f)(9)
- Initial Safety Factor Assessment per 40 CFR 257.105(f)(12), 40 CFR 257.106(f)(11), 40 CFR 257.107(f)(11)

- *391-3-4-.10(9)(c)5.(iii) - Description of how the CCR surface impoundment's operating criteria required by 40 CFR 257.80, 40 CFR 257.82, and 40 CFR 257.83 are met.*

AP-1 has been closed by removing all CCR, therefore the operating criteria is no longer applicable. The dust control, inflow design flood control system design, and annual inspections requirements performed during the closure of AP-1 can be found online at the Georgia Power website under Environmental Compliance.

- *391-3-4-.10(9)(c)5.(iv) - Groundwater monitoring plan in accordance with Rule 391-3-4-.10(6). Explanation of how groundwater monitoring and corrective action criteria required by 40 CFR 257.90, 40 CFR 257.91, 40 CFR 257.93, 40 CFR 257.94, 40 CFR 257.95, 40 CFR 257.96, 40 CFR 257.97, and 40 CFR 257.98 are met.*

A Groundwater Monitoring Plan was prepared for the AP-1 in accordance with 40 CFR 257.90, 40 CFR 257.91, and 40 CFR 257.93 through 40 CFR 257.98 and is included in Part A of this permit application.

- *391-3-4-.10(9)(c)5.(v) - Explanation of how closure and post-closure care requirements found in 40 CFR 257.101, 40 CFR 257.102, 40 CFR 257.103, and 40 CFR 257.104 will be met.*

This permit application includes a narrative description (Closure Narrative) for the closure-by-removal of CCR for AP-1 in Part A of the permit application. In accordance with 391-3-4-.10(7)(g), which incorporates the post-closure requirements of 40 CFR 257.104(a)(2) of the Federal CCR Rule, CCR units being closed by removal of CCR are

exempted from post-closure care requirements. Therefore, a post-closure care plan for AP-1 is not required and is not included in this permit application.

- *Rule 391-3-4-.10(9)(c)5.(vi) - Website address for information required to be posted by 40 CFR 257.105, 40 CFR 257.106, and 40 CFR 257.107.*

The information required to be posted and applicable to Plant Yates AP-1 is found in the Georgia Power Company website under Environmental Compliance.

<https://www.georgiapower.com/CCRRuleCompliance>.

Documents will be retained for a minimum of five years as required by 40 CFR 257.105(b). Information required to be posted to the CCR Web site will be made available to the public for at least five years following the date on which the information was first posted to the CCR Web site in accordance with 40 CFR 257.107(c). Information required by 40 CFR 257.105 will be posted to the CCR Web site within 30 days of placing the pertinent information in the operating record, as required by 40 CFR 257.107(d).





## 2. APPLICATION FORM

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**Send completed application to:**  
 Environmental Protection Division, Solid Waste Management Program  
 4244 International Parkway, Suite 104  
 Atlanta, GA 30354-3902

County: \_\_\_\_\_

Facility Name:  
 \_\_\_\_\_

## CCR Unit - Application for Solid Waste Handling Permit

(Please type or print)

### I. APPLICANT INFORMATION

Owner's Name or Registered Corporation Name: **Georgia Power Company – Plant Yates**

Facility Address: **708 Dyer Road**

Phone: **(404) 506-6505**

City: **Newnan**

State: **GA**

ZIP Code: **30263**

Authorized Official: **Aaron D. Mitchell**

Title: **General Manager – Environmental Affairs**

Mailing Address: **241 Ralph McGill Blvd. NE**

Phone: **(404) 506-6505**

City: **Atlanta**

State: **GA**

ZIP Code: **30308**

Email Address: **gpcenv@southernco.com**

Facility CCR Website(s): **www.georgiapower.com**

II. PROPERTY DETAILS: Complete below **and attach** a street or highway map indicating the site/facility location. Application must be accompanied by written zoning confirmation.

County: **Coweta County**

City: **Newnan**

Co-ordinates (in decimal degrees, near facility center): **Latitude: 33.466268, Longitude: -84.904816**

Property for Processing/Disposal is:  Owned  Leased (please complete owner details below)

Property Owner (if leased):

Address:

Phone:

City:

State:

Zip:

### III. APPLICATION TYPE:

New Permit  Major Modification to Existing Permit  Transfer of Permit

Other

IV. CCR UNITS: List all CCR units covered under this application

**Plant Yates Ash Pond 1**



**Send with completed application to:**  
 Environmental Protection Division, Solid Waste Management Program  
 4244 International Parkway, Suite 104  
 Atlanta, GA 30354-3902

County: \_\_\_\_\_

Facility: \_\_\_\_\_

## Solid Waste Handling Permit Supplemental Form for O.C.G.A. 12-8-23.1(a)(3)(B)

(Please type or print)

**I. INFORMATION:** This form must be completed by each owner, or an authorized official of a corporation, holding a 5% or greater ownership share. This form must be notarized.

Name of Facility Applying for Solid Waste Handling Permit: Plant Yates Ash Pond 1

Owner's Name or Registered Corporation Name: Georgia Power Company

Authorized Official: Aaron D. Mitchell

Title: General Manager – Environmental Affairs

Mailing Address: 241 Ralph McGill Boulevard

Phone: (404) 506 - 6505

City: Atlanta

State: GA

ZIP Code: 30308

Email Address: gpcenv@southernco.com

A.	Yes	No
(1) Has the applicant, or if the applicant is a corporation, partnership, or association, has any officer, director, manager, or shareholder of five percent or more of stock financial interest in the corporation, partnership, or association intentionally misrepresented or concealed any material fact in the application submitted to the director?	<input type="checkbox"/>	X
(2) Has the applicant, or if the applicant is a corporation, partnership, or association, has any officer, director, manager, or shareholder of five percent or more of stock financial interest in the corporation, partnership, or association obtained or attempted to obtain the permit by misrepresentation or concealment?	<input type="checkbox"/>	X
(3) Has the applicant, or if the applicant is a corporation, partnership, or association, has any officer, director, manager, or shareholder of five percent or more of stock financial interest in the corporation, partnership, or association been convicted by final judgment, and all appeals have been exhausted, in the State of Georgia or any federal court of any felony involving moral turpitude within three years immediately preceding the application for a permit?	<input type="checkbox"/>	X
(4) Has the applicant, or if the applicant is a corporation, partnership, or association, has any officer, director, manager, or shareholder of five percent or more of stock financial interest in the corporation, partnership, or association been convicted of any violations of any environmental laws punishable as a felony in any state or federal court within five years preceding the application for a permit?	<input type="checkbox"/>	X
(5) Has the applicant, or if the applicant is a corporation, partnership, or association, has any officer, director, manager, or shareholder of five percent or more of stock financial interest in the corporation, partnership, or association knowingly, willfully, and consistently violated the prohibitions specified in Code Section 12-8-30.7?	<input type="checkbox"/>	X
(6) Has the applicant, or if the applicant is a corporation, partnership, or association, has any officer, director, manager, or shareholder of five percent or more of stock financial interest in the corporation, partnership, or association been adjudicated in contempt of any court order enforcing any federal environmental laws or any environmental laws of the State of Georgia within five years preceding the application for a permit?	<input type="checkbox"/>	X

**B.** On a separate sheet, please provide detailed explanations for each question above answered "yes."

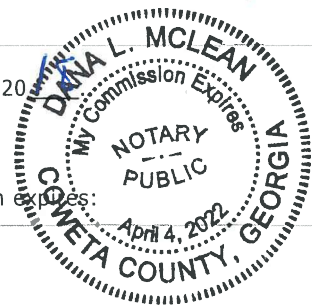
Signature: *Aaron D. Mitchell*

Date: *11/13/18*

Sworn to and subscribed before me this 13 day of November, 2018

Notary Public: *Dana L. McLean*

My commission expires:



V. OWNERS: List all owners of the facility (defined as holding a 5% or greater share). All owners listed below must complete the Supplemental Form for O.C.G.A. 12-8-23.1(a)(3)(B)

**Georgia Power Company**

VI. SIGNATURE

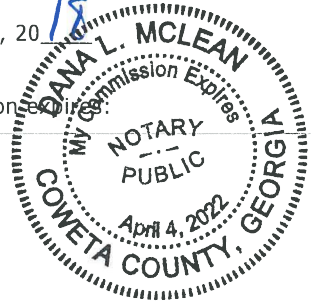
Authorized Official's Signature: *A. D. Mitchell*

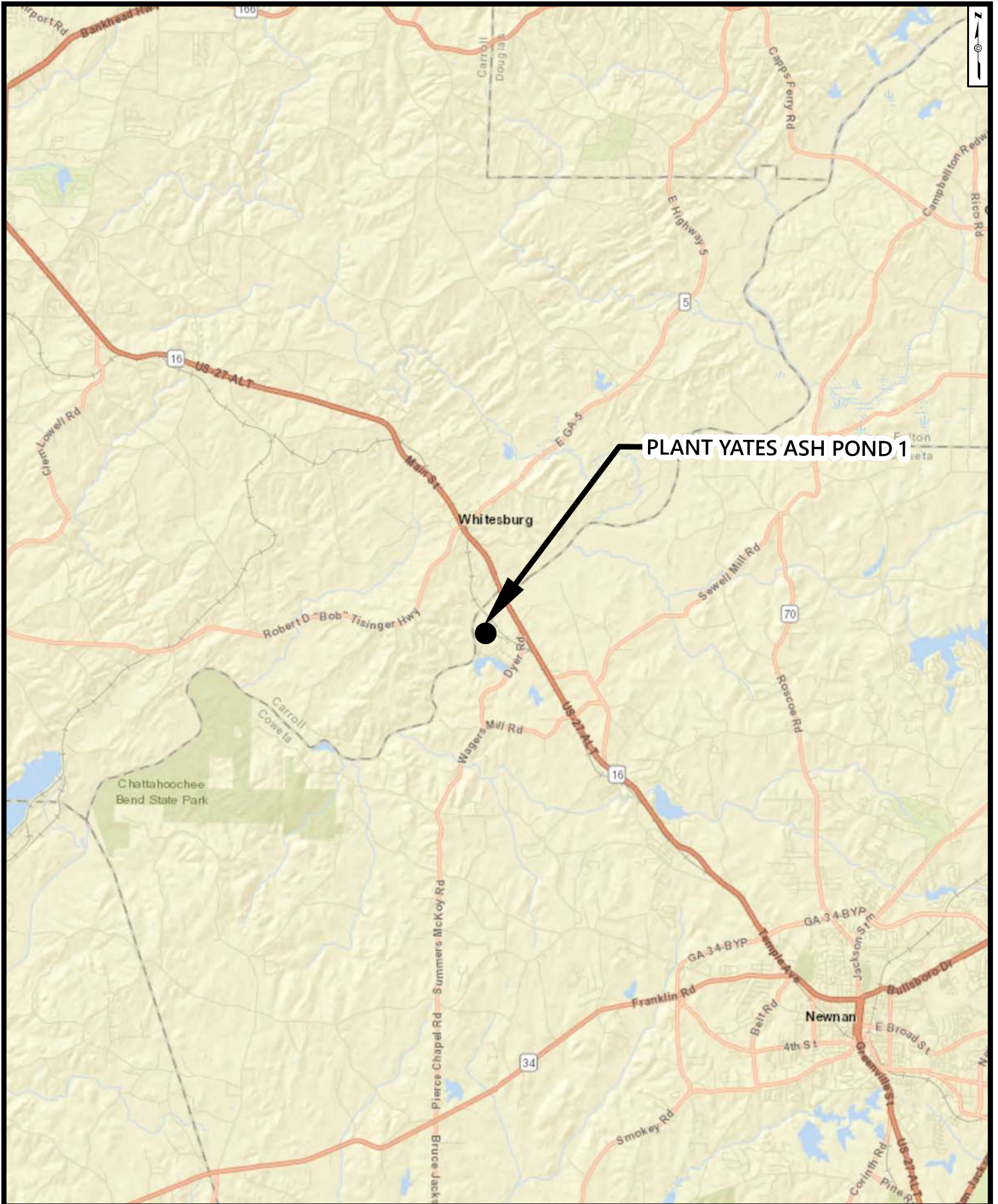
Date: *11/13/18*

Sworn to and subscribed before me this 13 day of November, 2018

Notary Public: *Dana L. McLean*

My commission expires:





PLANT YATES ASH POND 1

Whitesburg

Chattahoochee Bend State Park

Newnan

Location Map



Georgia Power Company - Plant Yates  
CCR Surface Impoundment Ash Pond 1

Date: 10/29/2018



### **3. PROFESSIONAL ENGINEER CERTIFICATION**

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**ATLANTIC COAST  
CONSULTING, INC.**

**1150 Northmeadow Parkway  
Suite 100  
Roswell, GA 30076  
(770) 594-5998  
[www.atlcc.net](http://www.atlcc.net)**

September 28, 2021

Mr. Richard Dunn  
Director  
Georgia Environmental Protection Division  
2 Martin Luther King Jr. Drive  
Suite 1456  
Atlanta, GA 30334-9000

**Re: Professional Engineer Certification  
Rule 391-3-4-.10(9)(b)5  
Plant Yates – Ash Pond 1**

Dear Mr. Dunn:

Atlantic Coast Consulting, Inc. (ACC), is an engineering firm employing professional engineers in good standing in accordance with State statutes, and the firm has experience in the design and construction of solid waste disposal facilities. Joy E. Headrick, P.E., with ACC is the Engineer of Record for this permit application. She is registered in the state of Georgia and has more than 20 years of experience in Engineering.

*"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I do hereby certify that the permit application requirements of the Georgia Environmental Protection Division Solid Waste Rule 391-3-4-.10 for Management of Coal Combustion Residuals have been met."*



**ATTEST:**

Atlantic Coast Consulting, Inc.  
**Engineering Firm**

Joy E. Headrick, P.E.  
**Name of Professional Engineer**

Joy E. Headrick  
**Signature**

9-28-2021  
**Date**

## 4. LAND USE CONFIRMATION

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**COWETA COUNTY**  
PLANNING & ZONING

22 East Broad Street  
Newnan, GA 30263  
[www.coweta.ga.us](http://www.coweta.ga.us)  
770-254-2635  
Fax - 770-254-2606

February 28, 2018

Jeffrey W. Cown  
Branch Chief  
Georgia Environmental Protection Division  
2 Martin Luther King Jr. Drive, SE  
Suite 1054, East Floyd Tower  
Atlanta, GA 30334-9000

RE: GA Power – Plant Yates  
Permit Application – CCR Surface Impoundments  
708 Dyer Rd, Newnan GA

Dear Mr. Cown:


Under the Coweta County Zoning & Development Ordinance Article 6 Section 69.1 Uses allowed,  
(1) Improvements, buildings and facilities such as schools, roads, rights-of-way, railroad lines,  
pipelines, transmission lines and similar elements; which are owned and/or operated by government  
agencies and/or public utilities.

The Georgia Power CCR Surface Impoundments (AP-1, AP-2, AP-3, AP-A, AP-B, and AP-B') located at  
Plant Yates, 708 Dyer Road, Newnan Georgia is permitted under the Coweta County Zoning Ordinance as a  
customary accessory use in connection with the operation of an electric generating plant.

Of course, the County also would require any applicable EPD, EPA and Federal/State approval of the  
project.

If additional information is needed, please don't hesitate to contact our office.

Sincerely,

  
Robert L. Tolleson  
Division Director