

**Cumberland Fossil Plant
Stilling Pond (including Retention Pond)
Closure Timeline Extension No. 1**



Prepared by:
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1101 Market Street
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April 10, 2026

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TVA Cumberland Fossil Plant

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OVERVIEW

The Environmental Protection Agency (EPA) published a final rule to regulate the disposal of coal combustion residuals (CCR) as solid waste under subtitle D of the Resource Conservation and Recovery Act (RCRA). For qualifying units, the EPA Final CCR Rule (CCR Rule) requires that CCR landfills and surface impoundments be closed and maintained in accordance with the CCR closure and post closure requirements of 40 CFR §§257.102(f) and 104, respectively. Closure must be completed for qualifying landfills and surface impoundments within 6 months or 5 years, respectively, of commencing closure activities. Based on the CCR Rule, the Tennessee Valley Authority (TVA) has determined that the Cumberland Fossil Plant – Stilling Pond (including Retention Pond) is an existing CCR surface impoundment and is therefore subject to the CCR Rule closure requirements. This closure timeline extension demonstration serves to show that it will not be feasible to complete closure of the CCR unit within the initial required timeframe due to factors beyond the facility's control. This demonstration includes applicable information required to seek a deadline extension to complete closure of the Cumberland Fossil Plant – Stilling Pond (including Retention Pond).

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CLOSURE EXTENSION ALLOWANCE

The Stilling Pond (including Retention Pond) is approximately 59 acres in size and is characterized as a CCR surface impoundment under the CCR Rule. The CCR Rule requires closure of existing surface impoundments within five years of commencing closure activities, with extensions authorized according to 40 CFR §257.102(f)(2)(ii) of no more than five two-year extensions for CCR surface impoundments larger than 40 acres.

This demonstration represents the first two-year extension requested for this CCR unit, beyond the initial five-year allowance.

TIMELINE EXTENSION DEMONSTRATION

The following factors impact the closure schedule for the Stilling Pond (including Retention Pond) and require an extension of the closure timeframe beyond the initial five-year period:

- The time required for planning the closure including executing an extensive environmental investigation and rigorous evaluations of geology, terrain, structural stability, stormwater management, groundwater flow and quality, surface water quality, etc.
- The time required for TVA to coordinate with the state of Tennessee and receive necessary approvals per the Commissioners Order described in the next section.

These and other factors are critical to informing safe and protective closure methodology and achieve regulatory compliance with CCR closure and post closure requirements.

NARRATIVE DESCRIPTION FOR THE CLOSURE EXTENSION

In 2015, the Tennessee Department of Environment & Conservation (TDEC) issued Commissioner's Order No. OGC15-0177 to TVA to establish a process for investigating, assessing, and remediating unacceptable risks from management of CCR at almost all TVA coal-fired plants in the state of Tennessee, including the Cumberland Fossil Plant. In response, TVA developed and executed an environmental investigation program under TDEC's oversight and with public engagement and published the results for the Cumberland Fossil Plant in an Environmental Assessment Report in November 2023. This effort extended over several years to provide robust data sets informing closure and corrective action decisions. Upon TDEC's approval of this data report, TVA developed a Corrective Action and Risk Assessment (CARA) Plan to propose closure methodologies and corrective actions for each of the CCR units at Cumberland, including the Stilling Pond and Retention Pond. To date, TDEC has reviewed this plan, provided feedback, TVA has modified and resubmitted the refined plan and TDEC will issue the document for public review and comment in late spring/early summer 2026. TVA's coordination with TDEC to receive necessary approvals within Tennessee have significantly influenced the schedule for completion for the Stilling Pond at Cumberland Fossil Plant.

In parallel with these investigative and planning efforts, TVA has also consolidated CCR materials within the footprint of the facilities and repurposed portions of the Stilling Pond and Retention Pond as lined

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process water basins to support TVA's conversion to dry CCR storage. The consolidated materials were graded for positive drainage and capped with a temporary vegetated soil cover to provide interim stabilization of the CCR material.

CERTIFICATION

I, Patrick Kiser, 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.

SIGNATURE



DATE April 10, 2026

ADDRESS:

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