

JOHNSONVILLE FOSSIL PLANT ASH IMPOUNDMENT CLOSURE ENVIRONMENTAL IMPACT STATEMENT SCOPING REPORT

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Abbreviations and Acronyms

ARAP	Aquatic Resources Alteration Permit
CCR	Coal Combustion Residuals
CGP	Construction Storm Water Permit
DWR	Division of Water Resources
EIS	Environmental Impact Statement
EO	Executive Order
JCT	Johnsonville Combustion Turbine
JOF	Johnsonville Fossil Plant
NEPA	National Environmental Policy Act
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NOI	Notice of Intent
PEIS	Programmatic Environmental Impact Statement
ROD	Record of Decision
TDEC	Tennessee Department of Environment and Conservation
TVA	Tennessee Valley Authority
USFWS	U.S. Fish and Wildlife Service
yd ³	cubic yards

1.0 Introduction

The Tennessee Valley Authority (TVA) has reinitiated public scoping for the evaluation of the potential environmental effects associated with the future management of coal combustion residuals (CCR) material in Active Ash Disposal Area Number 2 (Ash Pond 2) at the Johnsonville Fossil Plant (JOF) located in Humphreys County, Tennessee. On November 26, 2024, TVA published a Notice of Intent (NOI) in the Federal Register to prepare an Environmental Impact Statement (EIS) to address the potential environmental effects associated with the closure of Ash Pond 2. Public comments were accepted through December 30, 2024, concerning both the scope of the review and environmental issues that should be addressed. The location of JOF, Ash Pond 2, and other project features are shown on Figure 1.

TVA previously published an NOI in the Federal Register for the JOF ash impoundment closure EIS in 2019. TVA also hosted a public information session on December 2, 2019, at the New Johnsonville City Hall in New Johnsonville, Tennessee. After consideration of comments received during the 2019 scoping period, TVA released a Scoping Report in 2020 that summarized the public and agency comments. The project was paused after completion of the 2019 scoping while TVA continued to refine the purpose and need, project proposal and alternatives.

TVA has identified four Ash Pond 2 closure alternatives for evaluation: (A) No Action; (B) Closure-in-Place with various capping options including a composite flexible membrane liner and cover soil, or a ClosureTurf® or equivalent system; (C) Closure-by-Removal to an Existing, Offsite Landfill; and (D) Closure-by-Removal, Transport of CCR to an Onsite or Offsite Beneficial Reuse Processing Facility. Additionally, Alternatives C and D have two sub-alternatives related to post-closure activities: Sub-Alternative C1 and Sub-Alternative D1 are for post-closure site restoration, while Sub-Alternative C2 and Sub-Alternative D2 are for post-closure dike breach.

This Scoping Report describes the internal and public scoping for relevant issues relating to these proposed actions and outreach conducted by TVA to notify the public. The Scoping Report also documents the input submitted to TVA by the public and intergovernmental entities during the public scoping periods.

1.1 Background

The 2020 Scoping Report outlines the history and background of the JOF site and the closure process. JOF, a coal-fired power plant in New Johnsonville, Tennessee, began operations in 1951 and was decommissioned in 2017. Originally, CCR was disposed of in Ash Disposal Area 1, but in 1970, Ash Pond 2 began to receive the CCR. This 125-acre pond is located on a peninsula within the Kentucky Reservoir, with surrounding infrastructure including a causeway and access road.

Following the development of a Programmatic Environmental Impact Statement (PEIS) in 2016, TVA issued a Record of Decision (ROD) under the National Environmental Policy Act (NEPA) to support its goal of eliminating wet CCR storage across its system. The PEIS considered two primary closure methods: "Closure-in-Place" and "Closure-by-Removal," assessing factors such as the volume of CCR, environmental impacts, health risks, and costs. The EIS for the closure of Ash Pond 2 will build on TVA's 2016 PEIS, applying site-specific details and analyses.

As part of the PEIS, TVA performed a screening analysis to determine the reasonableness of these two closure methods. This analysis evaluated a range of key issues and factors related to

closure of surface impoundments and the feasibility of undertaking closure activities. Screening factors included:

- Volume of CCR Materials
- Schedule/Duration of Closure Activities
- Stability
- Risk to Human Health and Safety Relating to Closure Activities
- Potential Effects to Water Resources
- Potential Effects to Wetlands
- Risk to Adjacent Environmental Resources
- Mode and Duration of Transport Activities
- Risk to Human Health and Safety Related to Transport of Borrow and CCR
- Cost

The EIS for closure of Ash Pond 2 at JOF will tier from TVA's 2016 PEIS, relying upon the overarching and bounding analyses performed in the PEIS, while integrating site-specific details and analyses.

1.2 TVA's Objectives

TVA has retired all coal-fired units at JOF. Because CCR is no longer being produced at JOF TVA is proposing to permanently close Ash Pond 2, a CCR surface impoundment at JOF. The purpose of this Ash Impoundment Closure EIS is to address the closure of Ash Pond 2 in a manner that is protective of human health and the environment. TVA must make a decision regarding the method of closure of Ash Pond 2. Under the Closure-by-Removal closure alternatives, TVA must decide how to dispose of the CCR removed from the ash impoundment as well as how to restore the site post closure. In deciding on a closure option, TVA's decision will consider factors such as the environment, economic development options, the public's input, and TVA's long-term goals.

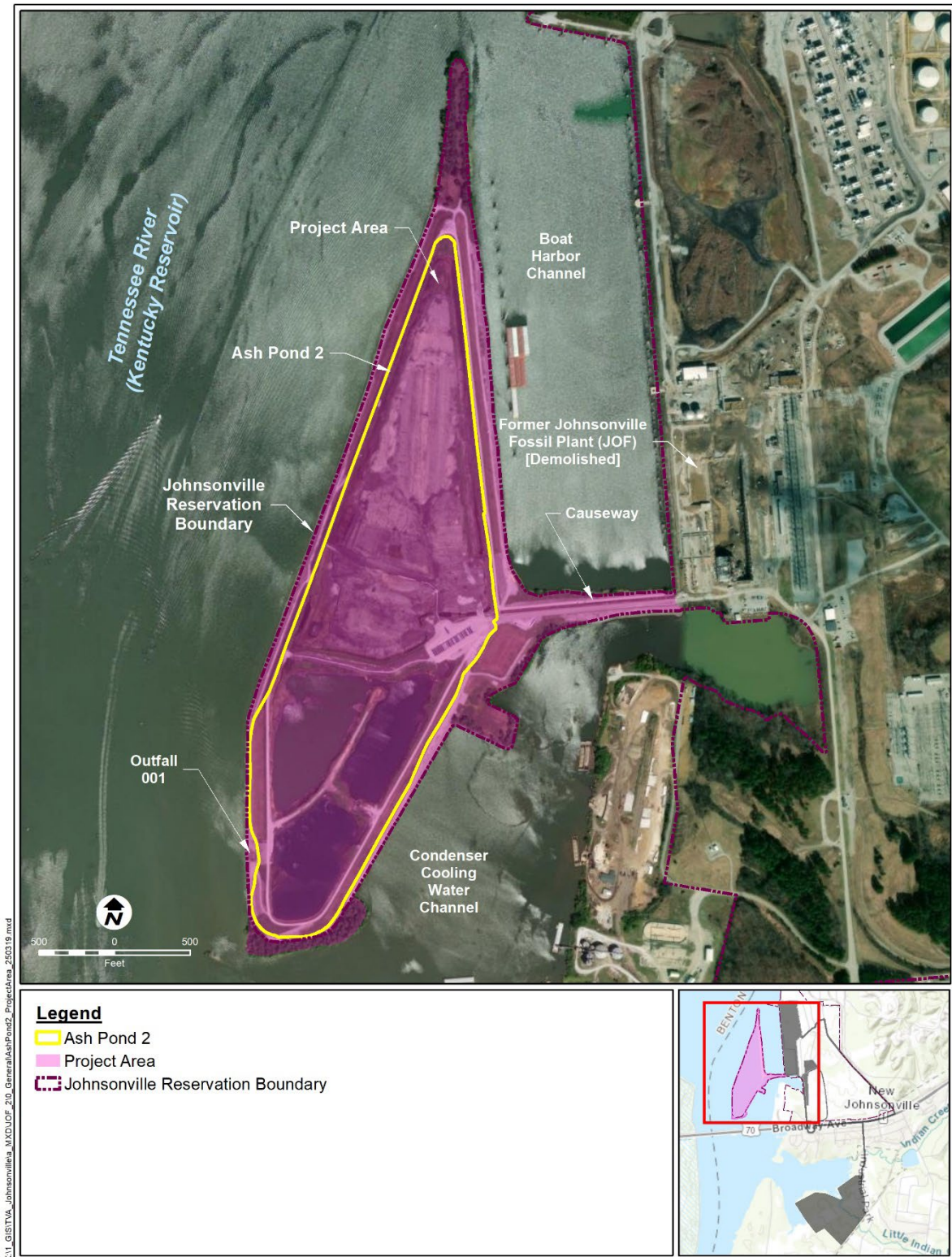


Figure 1. JOF Ash Pond 2

2.0 Proposed Alternatives

As a result of internal review and scoping comments, TVA has proposed the following alternatives to be evaluated in the EIS.

2.1 Alternative A – No Action Alternative

Under the No Action Alternative, TVA would not close Ash Pond 2, therefore no closure activities (i.e., cover system construction or removal of CCR) would occur. Ash Pond 2 would continue to operate under the administratively continued National Pollutant Discharge Elimination System (NPDES) permit (Permit number TN0005444). All process flows previously feeding into Ash Pond 2 were rerouted prior to April 2021. Process flows from the Johnsonville Combustion Turbine (JCT) facility have been rerouted to the non-CCR Process Water Basin. Other flows (including the JOF sumps, coal yard runoff pond, and Ash Pond 2) were rerouted to the Interim Flow Management system that discharges to the NPDES permitted Outfall 001. TVA would continue safety inspections of berms to maintain stability and provide continued care and maintenance activities. The No Action Alternative would not permanently close Ash Pond 2 in a manner that is protective of human health and the environment and would be inconsistent with current regulatory requirements; therefore, this alternative would not meet the Purpose and Need for the proposed action and is not considered reasonable. It does, however, provide a benchmark for comparing the environmental impacts of implementation of the Action Alternatives.

Under Alternative A, TVA would continue to collect groundwater samples from existing monitoring wells and review the analytical results as required by applicable regulatory requirements.

2.2 Alternative B – Closure-in-Place of Ash Pond 2

Under Alternative B, TVA would close Ash Pond 2 (Figure 1) in place by capping the area with one of two cover options: 1) a composite flexible membrane liner and 24 inches of cover soil, or 2) ClosureTurf®, or equivalent system. Each of the cover systems is described in more detail below. Ash Pond 2 would be closed starting from the north end and proceeding to the south end of the unit. The cover system would extend across the ash connecting to the dike on all sides. The common features of closure construction could include:

- Demolition of existing facilities, structures, and utilities including various sluice piping and foundations, spillway pipes and structures, carbon dioxide injection system components, and truck scales.
- Establishing a stormwater management system during construction to include a temporary stormwater management pond, diversion berms and swales, and pumps. This would include any water treatment system necessary to achieve water quality standards prior to discharging from NPDES Outfall 001. Any existing structures that support NPDES compliance would remain in place.
- Final pond elevation would be subject to final design but would remain above reservoir level. Grading could include movement and compaction of CCR to achieve positive drainage, sloping the final grades to new stormwater outfalls, and cutting down portions of the perimeter dike for use as soil cover.

- Construction of the final cover system, using one of the following options:
 - Cap Option 1 would include from bottom-to-top: a geomembrane liner, a geocomposite drainage layer, and placement of 24 inches of soil with the upper 6 inches capable of supporting vegetation.
 - Cap Option 2 would include a ClosureTurf® or equivalent system, which consists of an engineered turf and sand fill.
 - An alternative cap option that would meet federal and state requirements.
- Construction of a 16-foot-wide gravel access road around the perimeter of the closed Ash Pond 2.
- Long-term monitoring of previously installed groundwater monitoring wells.
- The boat ramp and causeway road providing access to the peninsula would remain in place and be maintained.

Closure-in-Place involves stabilizing the CCR and installing an engineered cover system. Under this alternative, Ash Pond 2 would be dewatered and the resulting CCR material would be stabilized in place. Following stabilization, the CCR would be regraded to promote drainage followed by installation of an approved cover system encompassing the CCR material footprint.

In addition, the transport of borrow material is a “component action” under this alternative. Closure-in-Place of Ash Pond 2 at JOF would entail the addition of borrow material to use as fill and achieve proposed finished grades. As part of this component action, Closure-in-Place of Ash Pond 2 is expected to require up to 200,000 cubic yards (yd³) of suitable borrow material. All borrow material would be obtained from the previously approved 44 acres within the TVA-owned 165-acre borrow site located 1.8 miles south of JOF or from another existing and permitted offsite borrow source within 30 miles of JOF. TVA estimates 400 to 800 truck trips (200 to 400 truckloads) of borrow material per day would be transported to JOF, as needed, throughout the estimated 5-year closure period under this alternative.

2.3 Alternative C – Closure-by-Removal to an Existing Landfill

Under Alternative C, TVA would remove CCR from Ash Pond 2 via Closure-by-Removal. CCR from the ash pond would be transported in covered over-the-road dump trucks (capacity of 17 yd³) to one or more landfills located within approximately 75 miles of JOF.

Closure-by-Removal involves excavation and relocation of the CCR from the ash impoundment in accordance with federal and state requirements. TVA would stabilize residual ponded areas and then excavate the approximately 4.5 million yd³ of CCR, approximately one foot of underlying soil (total of about 175,000 yd³), and support structures from the impoundment footprint. Closure activities would include:

- Excavation of ash using a tracked excavator.
- Mechanical moisture conditioning of the excavated ash by dumping, scooping, and windrowing the ash within the existing footprint of the impoundment or pond until it is sufficiently dried for hauling.
- After drying, ash would be loaded into trucks and hauled to an existing, offsite permitted landfill within approximately 75 miles of JOF.

- Over-excavation of soil within the CCR unit footprint.

While a specific landfill for disposal of CCR has not been determined, three potential landfills located within 75 miles have been identified at this time. TVA may use these, or any other potential landfill located within 75 miles of JOF. Potential locations of the offsite landfill and potential methods of transport will be studied and evaluated as a “component action” in the EIS.

TVA is considering two options for post-closure restoration of Ash Pond 2 under Alternative C: Post-closure Site Restoration and Post-closure Dike Breach.

2.3.1 Alternative C1 – Post-Closure Site Restoration

Sub-Alternative C1 relates to post-closure activities. Under this option, the area of Ash Pond 2 would be restored upon completion of the excavation activities to a soil and vegetated state. Following excavation and reclamation, Ash Pond 2 would be graded as needed and vegetation would be established over the excavation areas.

The transport of borrow material is a “component action” under this sub-alternative. As part of this component action, Closure-by-Removal of Ash Pond 2 is expected to require approximately 2.2 to 3 million yd³ of suitable borrow material. Soil utilized for closure and restoration of the site is proposed to be obtained from a previously evaluated borrow area on TVA-owned property located 1.8 miles south of JOF or from an existing and permitted offsite borrow source within 30 miles from JOF. Closure-by-Removal of Ash Pond 2 and post-closure site restoration would entail the addition of borrow material to achieve proposed finished grades and provide a suitable medium to support restoration of the former impoundment with approved, non-invasive seed mixes designed to quickly establish desirable vegetation. TVA estimates between 400 and 800 truck trips (200 to 400 truckloads) of borrow per day would be transported to JOF when needed throughout the estimated 12-year closure period.

2.3.2 Alternative C2 – Post-Closure Dike Breach

Sub-Alternative C2 is another post-closure option. Upon completion of the excavation activities, the dikes surrounding Ash Pond 2 would be breached in one or more places and the interior of the unit would be allowed to be inundated by Kentucky Reservoir. Slopes around the breach would be covered in riprap or an approved alternative method to protect them from erosion. Large boulders would be placed in the breach to block any marine traffic from entering the flooded Ash Pond 2 footprint. Some areas may remain above the normal lake level and would be stabilized and vegetated. TVA would evaluate long-term stabilization and potential future use of this area. No borrow material would be required for this sub-alternative.

2.4 Alternative D – Closure-by-Removal of Ash Pond 2, Transport of CCR to an Onsite or Offsite Beneficial Reuse Processing Facility

Under Alternative D, TVA would close Ash Pond 2 by removal in the same manner as Alternative C. However, the excavated CCR (up to approximately 4.5 million yd³) would be loaded into trucks and transported in off-road heavy haul trucks to an onsite beneficial reuse processing facility, or in covered over-the-road dump trucks (capacity of 17 yd³) to an offsite beneficial reuse processing facility, for use in concrete and other building materials. Any unusable CCR and excavated soil material would be transported to an existing offsite permitted landfill.

No specific provider of the beneficiation services, or the specific site at which a beneficial reuse processing facility would be constructed, has been determined at this time. TVA is programmatically evaluating the construction and operation of potential CCR beneficial reuse processing facilities in a separate NEPA review. This Ash Impoundment Closure EIS will only assess the potential transport of CCR to such a facility.

TVA is considering two options for restoration of Ash Pond 2 following Closure-by-Removal activities. These are the same as identified for Alternative C.

2.4.1 Sub-Alternative D1 – Post-Closure Site Restoration

Under Sub-Alternative D1, the area of Ash Pond 2 would be restored upon completion of the excavation activities to a soil and vegetated state as described for Sub-Alternative C1.

2.4.2 Sub-Alternative D2 – Post-Closure Dike Breach

Under Sub-Alternative D2, upon completion of the excavation activities, the dikes surrounding Ash Pond 2 would be breached in one or more places and the interior of the unit would be allowed to be inundated by the reservoir as described for Sub-Alternative C2.

3.0 Environmental Review Process

The NEPA review process is intended to help federal agencies make decisions that are based on an understanding of the proposed action's potential impacts. NEPA regulations also encourage and in some instances require TVA provide opportunities for public involvement in the decision-making process.

As noted, TVA intends to prepare an EIS, the most intensive level of NEPA review, to consider options for management of CCR at JOF. During the development of the EIS, the public, stakeholders, resource and permitting agencies, and other interested parties will have two opportunities to provide input on the development of the environmental study. The first opportunity is the initial scoping process that follows the publication of the NOI. The second opportunity for public comment follows the publication of the Draft EIS, subsequent to the publication of the NOI.

In addition to agency and public input, the EIS will also address specific requirements associated with a number of federal laws such as National Historic Preservation Act of 1966, Endangered Species Act of 1973, Clean Water Act of 1972, and Clean Air Act, and would satisfy the requirements of applicable Executive Orders (EO), including 11988 (Floodplains Management), EO 11990 (Protection of Wetlands), and EO 13112 as amended by 13751 (Invasive Species).

After considering input received during the public scoping process, TVA will develop and publish a Draft EIS. The Draft EIS will be available to the public for review and comment for 45 days. During the public comment period on the Draft EIS, TVA will conduct a public meeting to receive further public input on the proposed project. Once the public stakeholders, resource and permitting agencies, and other interested parties have reviewed the document, TVA will consider all comments received, make revisions, if necessary, and publish a final EIS. After a period of at least 30 days, TVA will make a final decision that is summarized in a ROD.

During the most recent public scoping period, TVA estimated that the Draft EIS would be published in late 2025, the Final EIS would be released in spring of 2026, and a final decision could be made as early as summer of 2026. However, Ash Pond 2 is subject to the TDEC Commissioner's Order. Investigations at JOF under the TDEC Commissioner's Order are ongoing, and, as such, a decision on closure of this facility will depend in large part upon the requirements of the TDEC Commissioner's Order with associated potential schedule impacts.

3.1 Public Outreach During the Scoping Period

Public scoping was initiated with the publication of the NOI to prepare an EIS in the Federal Register on November 26, 2024 (Appendix A). The NOI initiated a 35-day public scoping period, which concluded on December 30, 2024. In addition to the NOI in the Federal Register, TVA published notices regarding this effort in newspapers that serve the Humphreys County area; issued a news release to media; and posted the news release on the TVA website to solicit public input. Additionally, notifications were issued to state and federal agencies and interested stakeholders.

During a previous scoping process for the project that was held from November 15, 2019, through December 20, 2019, TVA held a public scoping meeting on December 2, 2019, in New Johnsonville, Tennessee. Approximately 12 people attended the scoping meeting. Attendees included members of the general public, media representatives, and other special interest groups. After consideration of comments received during the 2019 scoping period, TVA developed a Scoping Report released on March 23, 2020, that summarizes the public and agency comments that were received.

TVA did not hold a public meeting for the 2024 public scoping period; however, TVA anticipates holding a community meeting near JOF after releasing the Draft EIS. The comments received during both scoping periods will be considered as the Draft EIS is developed. Additional opportunities for the public to comment on the proposed actions and environmental analysis will be provided during the public review period of the Draft EIS.

3.2 Summary of Scoping Feedback

TVA received two comments in conjunction with the 2024 scoping process (Appendix B). One comment was received via letter from the TDEC Division of Water Resources (DWR). DWR stated that “the facility has an existing construction storm water permit (CGP) and the accompanying Storm Water Pollution Prevention Plan that will likely need to be modified as the work for closure begins. Depending on the changes in discharges as the pond is dewatered, the NPDES permit might have to be modified, or a new permit issued. A new onsite landfill will require a CGP and a hydrologic determination study by a certified hydrologic professional to identify all of the aquatic resources within the project limits of disturbance to determine the impact to water resources. An Aquatic Resources Alteration Permit (ARAP) will most likely be necessary.”

DWR also expressed concerns with the closure project, depending on the alternative chosen. They stated that if TVA opts for beneficial reuse of the CCR materials, the heavy metal content of the materials will have to be considered.

The other comment was received via email from the TDEC, Division of Air Pollution Control. The Division of Air Pollution Control expressed concerns over air quality impacts, idling, and fugitive dust and recommended that TVA evaluates such potential impacts prior to any clearing, demolition, or construction. The Division also recommended the operation of trucks with up-to-date emission control technologies and proper maintenance to minimize vehicle and equipment emissions as well as the adoption of best practices to minimize vehicle idling to minimize the impact of mobile source emissions on ambient air quality. To minimize fugitive dust generated from construction activities, the Division of Air Pollution Control recommends the use of wet suppression or other measures.

As discussed in the 2020 Scoping Report, TVA received five comments during the previous scoping period that was held from November 15, 2019, through December 20, 2019 (TVA 2020). These comments included three comment letters from public agencies, including TDEC, the United States Fish and Wildlife Service (USFWS) and the National Park Service (NPS); one email submission; and one comment received at the public meeting by a member of the public. Comment submissions were reviewed to identify specific issues of concern by each commenter and were grouped in general categories for identification and review. Issues raised by commenters included the following:

- 1) *Threatened and Endangered Species* – The USFWS noted previous consultation on likely adverse effects to the federally listed pink mucket (*Lampsilis abrupta*) as a result of temporary slope stabilization measures at Ash Pond 2.
- 2) *Historic Resources* – The NPS expressed concern regarding the effect of offsite transport of CCR on the historic or other resources of the Trail of Tears National Historic Trail.

- 3) *Cultural Resources* – TDEC noted that construction of a new onsite landfill has the potential to disturb cultural resources¹.
- 4) *Air Resources* – TDEC identified the potential for fugitive dust emissions and emissions generated by gasoline and diesel fueled trucks and construction equipment during closure activities. In addition, TDEC also recommended the EIS consider the use of truck wheel washing stations and wetting to minimize fugitive dust impacts on local roads and highways.
- 5) *Solid Waste* – TDEC recommended that any waste associated with the proposed action be managed in accordance with Solid Waste Rules and Regulations of the State of Tennessee.
- 6) *Permitting Requirements* – TDEC referenced a need to comply with appropriate permitting in conjunction with project alternatives including the potential modification of the existing NPDES storm water CGP and accompanying Stormwater Pollution Prevention Plan. The agency also identified the need for a hydrologic determination study by a certified hydrologic professional to identify all of the aquatic resources within the proposed landfill limits of disturbance to determine the impact to water resources, and the potential for an ARAP in conjunction with the construction of a new onsite landfill¹.
- 7) *Future use* – TVA received one comment suggesting that once closed, the JOF Ash Pond 2 area be restored and used to site a solar power array.

3.3 Issues to be Addressed

Based on TVA's internal scoping and input gathered from the public scoping process, TVA anticipates the major issues to be addressed in this EIS include:

- *Surface Water Resources* – TVA will describe the quality of surface water resources, including Kentucky Reservoir, and will analyze the extent to which each closure alternative would affect water quality directly or indirectly (i.e., through infiltration or runoff). TVA would seek and obtain all necessary permits required for the alternative selected.
- *Groundwater Resources* – TVA will use groundwater data obtained from studies historically conducted by TVA and additional studies conducted for the Environmental Investigation Plan under the current regulatory requirements to describe existing groundwater conditions in the vicinity and will analyze the extent to which each closure alternative would affect groundwater quality.
- *Biological Resources* (vegetation, wildlife, and aquatic life) – Community types within the project area will be described. Significant natural features, including rare species habitat, important wildlife habitat, or locally uncommon natural community types will be identified. TVA will evaluate the effect of each alternative on terrestrial and aquatic ecosystems.
- *Threatened and Endangered Species* – Federally or state-listed as threatened or endangered plants and animals known to exist in the vicinity of JOF or any of the proposed

¹ This addresses an issue that was raised during the initial scoping period in 2019. Construction of an onsite landfill is no longer being considered as part of the proposed action.

project areas will be identified. The effects of each closure alternative on endangered, threatened, and rare species in need of management will be evaluated.

- *Floodplains and Wetlands* – Floodplains and wetlands within the proposed project area will be identified. The effects of each of the alternatives on jurisdictional waters and floodplains will be evaluated.
- *Geology and Soils* – Regional geology and soils at proposed project sites will be identified and any limitations related to construction and operation will be evaluated. Impacts to prime farmland soils will be quantified.
- *Land Use* – Land uses within the proposed project area and within the vicinity (5-mile radius) will be identified. The impacts to land use associated with each of the alternatives will be evaluated.
- *Transportation* – The existing roadway network in the vicinity of JOF, including physical road characteristics (number of lanes, shoulders, and posted speed limits) and existing traffic characteristics will be identified. The effect of borrow transport and transport of CCR to a beneficial reuse processing facility will be evaluated. Additionally, alternative modes of transportation will be considered for the transport of CCR offsite to an existing landfill, and potential effects of each option will be analyzed.
- *Recreational and Managed Areas* – Natural areas, parks, and other managed areas within the vicinity of the alternatives (3-mile radius) will be identified and potential impacts associated with the proposed alternatives will be addressed.
- *Visual Resources* – The aesthetic setting of each project site will be described and an analysis of changes to scenic attractiveness and scenic integrity associated with each of the alternatives will be completed.
- *Cultural Resources* – TVA will characterize archaeological and historic resources within the Area of Potential Effect. TVA also will discuss any known sites listed on the National Register of Historic Places. The potential effects of each alternative on historic and archaeological resources including the Trail of Tears National Historic Trail will be evaluated.
- *Noise* – Baseline noise conditions will be characterized and noise emissions associated with the construction phase equipment use and truck traffic during operations will be assessed to determine the potential noise impact of each alternative on sensitive receptors.
- *Air Quality and Climate Change* – Air quality considerations including attainment status and regional air quality information will be presented. Impacts to air quality from activities associated with each of the alternatives will be evaluated. The impact of emissions from each of the alternatives on climate change will be addressed.
- *Socioeconomics* – Demographic and community characteristics associated with the proposed project and along potential haul routes to a beneficial reuse processing facility will be evaluated. The evaluation will include the identification of potential low-income and minority populations to evaluate the potential for adverse impacts. Economic effects associated with the proposed alternatives will also be evaluated.

- *Solid and Hazardous Waste* – Current practices regarding hazardous materials/waste management at JOF will be identified. In addition, TVA will identify impacts from any wastes that would be generated during closure activities, including those uncovered during site preparation or generated during the construction process, that would be subject to solid and hazardous waste rules and regulations of the State of Tennessee. Operational measures (waste management practices) will be incorporated into the assessment of impacts.
- *Public Health and Safety* – Potential effects of each alternative on public health and safety will be evaluated. The evaluation will include potential effects of transportation of CCR and borrow along public roadways.

The potential direct and indirect impacts, including the impacts of reasonably foreseeable future actions on each resource will be assessed in the EIS. Mitigative measures designed to minimize impacts, as appropriate, will be identified.

4.0 References

Tennessee Valley Authority (TVA). 2020. Johnsonville Fossil Plant Ash Impoundment Closure Environmental Impact Statement Scoping Report, March 2020.

Appendix A

Federal Register Notice



93390

Federal Register / Vol. 89, No. 228 / Tuesday, November 26, 2024 / Notices

nationals when they complete and submit the Application for a U.S. Passport (form DS-11). Passport applicants can either download the DS-11 from the internet or obtain one from an acceptance facility/passport agency or U.S. embassy/consulate abroad. The form must be completed and executed at an acceptance facility, passport agency, or U.S. embassy/consulate (if abroad), and submitted with evidence of citizenship and identity.

Amanda E Smith,

Managing Director for Passport Support Operations, Bureau of Consular Affairs, Passport Services, Department of State.

[FR Doc. 2024-27703 Filed 11-25-24; 8:45 am]

BILLING CODE 4710-06-P

DEPARTMENT OF STATE

[Public Notice 12582]

60-Day Notice of Proposed Information Collection: U.S. Passport Renewal Application for Eligible Individuals

ACTION: Notice of request for public comment.

SUMMARY: The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. In accordance with the Paperwork Reduction Act of 1995, we are requesting comments on this collection from all interested individuals and organizations. The purpose of this notice is to allow 60 days for public comment preceding submission of the collection to OMB.

DATES: The Department of State will accept comments from the public up to January 27, 2025.

ADDRESSES: You may submit comments by any of the following methods:

- **Web:** Persons with access to the internet may comment on this notice by going to www.Regulations.gov. You can search for the document by entering Docket Number: DOS-2024-0043 in the Search field. Then click the "Comment Now" button and complete the comment form. Email and regular mail options have been suspended to centralize receiving and addressing all comments in a timely manner.

Email: Passport-Form-Comments@State.gov.

You must include the DS form number (if applicable), information collection title, and the OMB control number in the email subject line.

SUPPLEMENTARY INFORMATION:

- **Title of Information Collection:** U.S. Passport Renewal Application for Eligible Individuals.

- **OMB Control Number:** 1405-0020.
- **Type of Request:** Revision of a Currently Approved Collection.

- **Originating Office:** Bureau of Consular Affairs, Passport Services, Office of Program Management and Operational Support (CA/PPT/S/PMO).

- **Form Number:** DS-82.
- **Respondents:** Individuals or Households.
- **Estimated Number of Respondents:** 8,321,500.
- **Estimated Number of Responses:** 8,321,500.
- **Average Time per Response:** 40 minutes.
- **Total Estimated Burden Time:** 5,547,700 hours per year.
- **Frequency:** On occasion.
- **Obligation To Respond:** Required to Obtain a Benefit.

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this Notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

Abstract of Proposed Collection

The U.S. Passport Renewal Application for Eligible Individuals (form DS-82) is used by eligible citizens and non-citizen nationals of the United States who need to renew their current or recently expired U.S. passport.

Methodology

Passport Services collects information from U.S. nationals when they complete and submit the DS-82. The Department features an online application process called Online Passport Renewal (OPR). Using the online platform, eligible applicants can complete the required steps for passport renewal. Passport applicants can download the DS-82 from the internet or obtain the form from an acceptance facility/passport agency. The form must be completed, signed, and submitted by mail or in

person at an acceptance facility, passport agency, or U.S. embassy/consulate (if abroad).

Amanda E Smith,

Managing Director for Passport Support Operations, Bureau of Consular Affairs, Passport Services, Department of State.

[FR Doc. 2024-27705 Filed 11-25-24; 8:45 am]

BILLING CODE 4710-06-P

TENNESSEE VALLEY AUTHORITY

Johnsonville Fossil Plant Ash Impoundment Closure

AGENCY: Tennessee Valley Authority.

ACTION: Notice of intent.

SUMMARY: The Tennessee Valley Authority (TVA) intends to prepare an environmental impact statement (EIS) to evaluate the potential environmental effects associated with the future management of coal combustion residuals (CCR) material in Ash Pond 2 at the Johnsonville Fossil Plant (JOF) located in Humphreys County, Tennessee. This EIS supports the implementation of the closure of Ash Pond 2, a CCR surface impoundment at JOF, in a manner that is protective of human health and the environment. TVA's intention to prepare an EIS to address CCR management at JOF Ash Pond 2 was previously noticed in November 2019. The project was paused after completion of scoping while TVA continued to refine the project proposal and alternatives. This current notice is to reinstate the EIS.

DATES: The public scoping period begins with the publication of this Notice of Intent in the **Federal Register**. To ensure consideration, comments must be postmarked, emailed, or submitted online no later than December 30, 2024.

ADDRESSES: Written comments should be sent to Brittany Kunkle, NEPA Compliance Specialist, 400 W Summit Hill Drive, WT 11B-K, Knoxville, TN 37902. Comments also may be submitted online at: <https://www.tva.gov/nepa> or by email to nepa@tva.gov. To ensure your comment is correctly dispositioned, please specify the project when submitting comments. Please note that TVA encourages comments submitted electronically. **FOR FURTHER INFORMATION CONTACT:** Brittany Kunkle, 865-632-6470, brkunkle@tva.gov, or by mail at the address above.

SUPPLEMENTARY INFORMATION: The EIS identification number is EISX-455-00-000-1723542522. This notice is provided in accordance with the National Environmental Policy Act

(NEPA) along with the Council on Environmental Quality (40 CFR parts 1500 to 1508) and associated TVA regulations and procedures (18 CFR part 1318), and Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR part 800).

Background

The Tennessee Valley Authority is the largest public power company in the United States providing electricity to 153 local power companies, 60 direct served customers, and serving roughly 10 million people across seven states. TVA is founded on a mission of service, providing low-cost, reliable power, environmental stewardship, and economic development. TVA is an industry leader in responsible coal ash management, pioneering new technologies to ensure our sites are safe, secure, and protective of human health and the environment.

JOF had ten coal-fired generating units that had a combined capacity of 1,254 megawatts. Units 5 through 10 ceased power generation in 2012 and were retired on December 31, 2015. Units 1 through 4 ceased operation and were retired on December 31, 2017. While in operation, JOF consumed approximately 3.5 million tons of coal per year and produced approximately 7,195 million kilowatt-hours of electricity a year. A portion of the CCR produced as a by-product of burning coal by the collective units was stored in Ash Pond 2. It is estimated that approximately 4.5 million cubic yards of CCR material remains in JOF Ash Pond 2.

In January 2019, TVA completed the *Final Johnsonville Fossil Plant Decontamination and Deconstruction Environmental Assessment and Finding of No Significant Impact (FONSI)* analyzing the potential demolition of the JOF generating units and facilities. As a result of the retirement of all coal-fired generating units at JOF, CCR is no longer being generated and Ash Disposal Area Number 2 (Ash Pond 2) is no longer receiving CCR materials.

In June 2016, TVA issued the Final Ash Impoundment Closure Programmatic Environmental Impact Statement (PEIS) that analyzed methods for closing CCR impoundments at TVA fossil plants and identified specific screening and evaluation factors to help frame its evaluation of closures at its other facilities. A Record of Decision was released in July 2016 that would allow future environmental reviews of qualifying CCR impoundment closures to tier from the PEIS. The PEIS can be found at <https://www.tva.com/nepa>.

This EIS is intended to tier from the 2016 PEIS to evaluate the closure alternatives for the JOF Ash Pond 2.

Preliminary Proposed Action and Alternatives

In addition to a No Action Alternative, this EIS will address reasonable alternatives that meet the purpose and need for the project. TVA plans to consider the following: (1) Closure-in-Place of Ash Pond 2, (2) Closure-by-Removal of Ash Pond 2 to an Existing Offsite permitted Landfill or (3) Closure-by-Removal to an Onsite or Offsite Beneficial Reuse Processing Facility, with unusable CCR and excavated soil material going to an existing offsite permitted landfill. If beneficial reuse is selected, subsequent environmental analyses would be conducted as appropriate.

TVA has not selected an offsite landfill for any potential disposal of CCR from JOF. Therefore, impacts of any potential offsite CCR disposal options would be based on “bounding” characteristics of, for example, CCR transport to suitable existing landfills, using conservative assumptions for defining the upper bound of potential effects. Public comments are invited concerning both the scope of the review and environmental issues that should be addressed.

TVA has not made any decisions about the final disposition of CCR storage at JOF. TVA is preparing this EIS to inform TVA decision makers, other agencies, and the public about the potential for environmental impacts associated with the final disposition of CCR at JOF Ash Pond 2. Final closure decisions may be subject to change depending on feedback from regulatory agencies.

Project Purpose and Need

The purpose of this project is to address the closure of Ash Pond 2, a CCR surface impoundment at JOF. As a result of the retirement of all coal-fired generating units at JOF, CCR is no longer being generated and Ash Disposal Area Number 2 (Ash Pond 2) is no longer receiving CCR materials and should be closed in a manner that is protective of the human health and the environment. This EIS will address the direct, indirect, and cumulative impacts of various alternatives for permanent closure of Ash Pond 2 on the environment.

Request for Identification of Potential Alternatives, Information, and Analyses Relevant to the Proposed Action

Public scoping is integral to the process for implementing NEPA and ensures that issues are identified early and properly studied, issues of little significance do not consume substantial time and effort, and the analysis of those issues is thorough and balanced. The final range of issues to be addressed in the environmental review will be determined, in part, from scoping comments received. TVA is particularly interested in public input on other reasonable alternatives that should be considered in the EIS. The preliminary identification of reasonable alternatives and environmental issues in this notice is not meant to be exhaustive or final.

Public Participation

TVA is committed to the meaningful involvement of our stakeholders and the affected communities in the decision-making process. The public is invited to submit comments on the scope of this EIS no later than the date identified in the **DATES** section of this notice. Federal, state, and local agencies and Native American Tribes are also invited to provide comments. Written requests by agencies or Indian tribes to participate as a cooperating agency or consulting party must also be received by this date. Any comments received, including names and addresses, will become part of the administrative record and will be available for public inspection.

After consideration of comments received during the scoping period, TVA will develop and distribute a scoping document that will summarize public and agency comments that were received and provide a schedule for completing the EIS process. Following analysis of the affected resources, TVA will prepare a Draft EIS for public review and comment. A final decision on proceeding with the management and final disposal of CCR and closure of the Ash Pond 2 surface impoundment will be based on a number of factors including public input, the conclusions of the EIS, the requirements of the CCR Rule, relevant legal requirements, engineering and risk evaluations, and financial considerations. TVA's intention to prepare an EIS to address CCR management in JOF Ash Pond 2 was previously noticed (84 FR 62562, November 15, 2019). The project was paused after completion of scoping while TVA continued to refine the project proposal and alternatives. Comments received during the previous

scoping period will also be considered during the development of the Draft EIS.

TVA expects to release the Draft EIS in late 2025. TVA anticipates holding a community meeting near JOF after releasing the Draft EIS. Meeting details will be posted on TVA's website and advertised in local media. TVA expects to release the Final EIS in Summer 2026.

Michael McCall,

Vice President, Environment and Sustainability.

[FR Doc. 2024-27844 Filed 11-22-24; 4:15 pm]

BILLING CODE 8120-01-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2024-0028]

Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

ACTION: Notice of applications for exemption; request for comments.

SUMMARY: FMCSA announces receipt of applications from 13 individuals for an exemption from the prohibition in the Federal Motor Carrier Safety Regulations (FMCSRs) against persons with a clinical diagnosis of epilepsy or any other condition that is likely to cause a loss of consciousness or any loss of ability to control a commercial motor vehicle (CMV) to drive in interstate commerce. If granted, the exemptions would enable these individuals who have had one or more seizures and are taking anti-seizure medication to operate CMVs in interstate commerce. **DATES:** Comments must be received on or before December 26, 2024.

ADDRESSES: You may submit comments identified by the Federal Docket Management System Docket No. FMCSA-2024-0028 using any of the following methods:

- **Federal eRulemaking Portal:** Go to www.regulations.gov/, insert the docket number (FMCSA-2024-0028) in the keyword box and click "Search." Next, choose the only notice listed, and click on the "Comment" button. Follow the online instructions for submitting comments.

- **Mail:** Dockets Operations; U.S. Department of Transportation, 1200 New Jersey Avenue SE, West Building Ground Floor, Washington, DC 20590-0001.

- **Hand Delivery:** West Building Ground Floor, 1200 New Jersey Avenue SE, Washington, DC, 20590-0001 between 9 a.m. and 5 p.m. ET Monday through Friday, except Federal Holidays.

- **Fax:** (202) 493-2251.

To avoid duplication, please use only one of these four methods. See the "Public Participation" portion of the SUPPLEMENTARY INFORMATION section for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Christine A. Hydock, Chief, Medical Programs Division, FMCSA, DOT, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, (202) 366-4001, fmcsamedical@dot.gov. Office hours are 8:30 a.m. to 5 p.m. ET Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366-9826.

SUPPLEMENTARY INFORMATION:

I. Public Participation

A. Submitting Comments

If you submit a comment, please include the docket number for this notice (Docket No. FMCSA-2024-0028), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that FMCSA can contact you if there are questions regarding your submission.

To submit your comment online, go to <https://www.regulations.gov/docket/FMCSA-2024-0028>. Next, choose the only notice listed, click the "Comment" button, and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. FMCSA will consider all comments and material received during the comment period.

B. Viewing Comments

To view comments go to www.regulations.gov. Insert the docket number (FMCSA-2024-0028) in the keyword box and click "Search." Next, choose the only notice listed, and click

"Browse Comments." If you do not have access to the internet, you may view the docket online by visiting Dockets Operations on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m. ET Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

C. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption request. DOT posts these comments, without edit, including any personal information the commenter provides, to www.regulations.gov. As described in the system of records notice DOT/ALL 14 (Federal Docket Management System), which can be reviewed at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notices>, the comments are searchable by the name of the submitter.

II. Background

Under 49 U.S.C. 31136(e) and 31315(b), FMCSA may grant an exemption from the FMCSRs for no longer than a 5-year period if it finds such exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such exemption. The statutes also allow the Agency to renew exemptions at the end of the 5-year period. FMCSA grants medical exemptions from the FMCSRs for a 2-year period to align with the maximum duration of a driver's medical certification.

The 13 individuals listed in this notice have requested an exemption from the epilepsy and seizure disorders prohibition in 49 CFR 391.41(b)(8). Accordingly, the Agency will evaluate the qualifications of each applicant to determine whether granting the exemption will achieve the required level of safety mandated by statute.

The physical qualification standard for drivers regarding epilepsy found in § 391.41(b)(8) states that a person is physically qualified to drive a CMV if that person has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause the loss of consciousness or any loss of ability to control a CMV.

In addition to the regulations, FMCSA has published advisory criteria¹ to

¹ These criteria may be found in APPENDIX A TO PART 391—MEDICAL ADVISORY CRITERIA, section H. *Epilepsy*: § 391.41(b)(8), paragraphs 3, 4,

Appendix B

Comments Submitted During the Scoping Period

(November 26 through December 30, 2024)



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF WATER RESOURCES

Davy Crockett Tower
500 James Robertson Parkway, 9th Floor
Nashville, Tennessee 37243

December 12, 2024

Ms. Brittany Kunkle
Tennessee Valley Authority
400 West Summit Drive
Knoxville, TN 37902-1499

re: TVA Johnsonville Plant Pond Closure Project
Humphreys County, TN

Sent via email to: brkunkle@tn.gov

Dear Ms. Kunkle:

Division staff have reviewed the scoping report for the closure of the ash impoundment at the Johnsonville Fossil Plant in Humphreys County. The information available is very limited such that the DWR response has to be limited as well. The facility has an existing construction storm water permit (CGP) and the accompanying Storm Water Pollution Prevention Plan that will likely need to be modified as the work for closure begins. Depending on the changes in discharges as the pond is de-watered, the NPDES permit might have to be modified or a new permit issued. A new on-site landfill will require a CGP and a hydrologic determination study by a certified hydrologic professional to identify all of the aquatic resources within the project limits of disturbance to determine the impact to water resources. An Aquatic Resources Alteration Permit (ARAP) will most likely be necessary.

There are additional concerns with the closure project, depending on the alternative chosen. If TVA opts for beneficial re-use of the CCR materials, the heavy metal content of the materials will have to be considered. If you have any further questions, I will be glad to try to assist you. You may reach me at (615) 917-4135 or tom.moss@tn.gov.

Sincerely,

Tom Moss
Environmental Review Coordinator
Compliance and Enforcement Unit

cc: Tim Jennette, Nashville DWR EFO Manager

From: [Travis Blake](#)
To: [nepa](#)
Subject: Scoping Comments for TVA Johnsonville Ash Pond Closure
Date: Tuesday, December 31, 2024 8:13:30 AM
Attachments: [image001.png](#)

You don't often get email from travis.blake@tn.gov. [Learn why this is important](#)

This is an **EXTERNAL EMAIL** from outside TVA. **THINK BEFORE** you **CLICK** links or **OPEN** attachments. If suspicious, please click the **"Report Phishing"** button located on the Outlook Toolbar at the top of your screen.

The Tennessee Department of Environment and Conservation, Division of Air Pollution Control, received your Notice of Intent, which states that TVA intends to prepare an Environmental Impact Statement to evaluate the future management of coal combustion residuals (CCR) material in Ash Pond 2 at the Johnsonville Fossil Plant. The Division has reviewed the scope of the proposed project and offers the following comments for your consideration:

Air Quality Impacts: Several actions could negatively impact air quality on a short-term basis. The Division of Air Pollution Control recommends that TVA evaluate such potential impacts prior to any clearing, demolition, or construction. Such impacts may include, but are not limited to, air pollution from construction equipment, open burning associated with land clearing activities, and fugitive dust. Local air quality conditions are available online at <https://www.airnow.gov/>.

Idling: Truck traffic associated with construction projects generate emissions of PM, CO, NO₂, SO₂, VOC, and CO₂, and the Division of Air Pollution Control recommends the operation of trucks with up-to-date emission control technologies and proper maintenance to minimize vehicle and equipment emissions. The Division also recommends the adoption of best practices to minimize vehicle idling to minimize the impact of mobile source emissions on ambient air quality.

Fugitive Dust: If fugitive dust will be generated from construction activities, the Division of Air Pollution Control recommends the use of wet suppression or other measures to minimize the generation of fugitive dust.



Travis J. Blake | Environmental Fellow
Division of Air Pollution Control

Davy Crockett Tower, 7th Floor
500 James Robertson Parkway, Nashville, TN 37243

I have a new number: (615) 306-1990

travis.blake@tn.gov
tn.gov/environment

We value your opinion. Please take a few minutes to complete our [customer satisfaction survey](#).