

## 2016 ECR Plan Status Update Report Quarterly Report – Update #38 January 30, 2026

### **Executive Summary:**

#### **General**

This report covers LG&E and KU's ("Companies") progress on the 2016 Environmental Cost Recovery ("ECR") Plan through the fourth quarter of 2025.

The overall 2016 ECR Plan safety performance through the fourth quarter of 2025 remained excellent, achieving a 2025 OSHA Recordable Incident Rate of 0.00 and an Inception-to-Date OSHA Recordable Incident Rate of 0.41, compared to the industry average of 2.4.

The total 2016 ECR Plan projected cost remained flat at \$1.0102 billion (net)<sup>1</sup>, compared to the filed total of \$996.4 million as provided in Case Nos. 2016-00026, 2016-00027, and 2017-00483. Total spend-to-date through December 31, 2025 is \$989.6 million (net).

#### **CCR Compliance (CCR Rule and State CCR Pond Closures)**

Safety performance through the fourth quarter is excellent with a Year-to-Date OSHA Recordable Incident Rate of 0.00 and an Inception-to-Date OSHA Recordable Incident Rate of 0.44, compared to an industry average Recordable Incident Rate of 2.4.

The total projected cost for the Coal Combustion Residual ("CCR") Closure Program remained flat at \$980.0 million (net). Total spend-to-date through December 31, 2025 is \$959.4 million (net).

The remaining engineering activities primarily consist of supporting ongoing construction activities and updating design documents to reflect "as-built" conditions of the completed projects. Remaining activities are associated with awarded contracts through warranty periods.

As noted in previous correspondence, the Environmental Protection Agency ("EPA") finalized the Legacy CCR Surface Impoundment (Legacy) Rule, effective November 8, 2024. The Legacy Rule expanded the scope of the 2015 CCR Rule to add former generating sites and various types of new CCR units (legacy CCR surface impoundments and coal combustion residual management units ("CCRMUs")) to those governed by the Rule. The Legacy Rule also incorporated more aggressive interpretations into the regulatory process that have the potential to result in changes to regulatory compliance strategies among the industry. EPA has since "softened" their approach with guidance documents and correspondence to industry but no regulatory changes have yet transpired.

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<sup>1</sup> Co-Owners of the Trimble County plant: Illinois Municipal Electric Agency (IMEA) and Indiana Municipal Power Agency (IMPA) are responsible for 25%. IMEA owns 12.12% and IMPA owns 12.88%. Co-owner shares are not included in the costs provided in this report.

## Recent EPA CCR Rule Initiatives

EPA Administrator Lee Zeldin has announced that EPA is planning to revisit many recent regulatory actions undertaken by the EPA, including potential changes to the CCR Rule. In support of Administrator Zeldin’s announcement, EPA’s unified agenda includes plans to rewrite the Legacy Rule by October 2026, establish a federal CCR permitting program by December 2026, and reconsider beneficial use criteria (no target date specified). On July 22, 2025, EPA proposed to extend certain deadlines relating to facility evaluation reports and groundwater monitoring.

EPA has finalized delegation of partial CCR program authority to North Dakota (November) and Wyoming (September) and continues to encourage states to seek delegated CCR program authority.

The U.S. Court of Appeals for the D.C. Circuit has extended voluntary stays of the legal challenges to the CCR Rule in accordance with an EPA request for long-term abeyance while the EPA considers various changes to the rule. The court has requested 90-day updates during this process.

LG&E and KU continue to complete milestones required by the 2024 Legacy CCR Surface Impoundment Rule while also implementing their CCR Rule compliance strategies. Since additional changes are anticipated, LG&E and KU will continue to follow the developments regarding any new rulemaking and guidance actions issued by the EPA.

## LG&E and KU CCR Rule Compliance Strategy and Updates

As the last of the CCR impoundment closures is scheduled for completion in early 2026, LG&E and KU plan to continue to implement current CCR Rule compliance strategies while tracking upcoming deadlines incorporated in the Legacy Rule. As has been the case since the CCR Rule’s effective date in October 2015, the Companies will continue to track potential rule changes to adjust strategies and assure continued compliance.

## CCR Impoundment Closures

- Ghent – Phase III scope was completed in 2024. No further work is required.
- E.W. Brown – Auxiliary Pond dewatering wells were redeveloped and rehabilitated in early 2025 which resulted in improved dewatering performance with 2.3 million gallons of interstitial water removed. Wells were winterized in late November 2025. Dewatering will recommence in March of 2026 and continue until the design final water elevation is achieved.
- Mill Creek – Project was completed in 2022. No further work is required.
- Trimble County – Progress continued with protective cover soil placement and installation of riprap in the perimeter storm water ditches in the Bottom Ash Pond (“BAP”), soil backfill continued in mass in the Gypsum Storage Pond (“GSP”), and demolition of the former CCR sluice pipe rack was completed. Due to weather impacts during the third and fourth quarters of 2025, mass fill placement in the GSP will continue through the first quarter of 2026.

- Tyrone – Project completed in the second quarter of 2020. No further work is required.

The CCR Impoundment Closure Program is scheduled to be completed on or before the CCR Rule regulatory deadlines in accordance with currently applicable requirements.<sup>2</sup>

### Process Water System Projects

- Trimble County – Project has been placed into Commercial Operation.
- Mill Creek – Project has been placed into Commercial Operation.
- Ghent – Project has been placed into Commercial Operation.
- E.W. Brown – Project has been placed into Commercial Operation.

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<sup>2</sup> The recent Legacy Rule revisions are significant and additional changes may result from the change in the Presidential administrations. However, the Companies' strategies continue to be resilient and absent major regulatory developments, the Companies do not expect that CCR Rule changes will require any major re-evaluations of our plans. The Companies will continue to closely monitor revisions to the CCR Rule and to ongoing litigation and will continue to update the Commission as it relates to issues that may affect construction schedules and activities.

Schedules

CCR Rule and State CCR Impoundment Closures

<u>Project</u>	<u>Project #</u>	<u>EPC Status<sup>3</sup></u>	<u>Planned / Actual In-Service Date<sup>4</sup></u>
E.W. Brown Aux Pond	KU Project 42	Completed	Closure Completed 4Q 2022 <sup>5</sup>
E.W. Brown Main Ash Pond (Deleted Phase III of Landfill)	KU Project 36	Completed	Closure Completed 4Q 2020
Ghent ATB #1	KU Project 40	Completed	Cap and Closure Completed 4Q 2021
Ghent ATB #2	KU Project 40	Completed	Cap and Closure Completed 3Q 2024
Ghent Gypsum Stack	KU Project 40	Completed	Clean Closure Completed 3Q 2021
Green River Main Pond	KU Project 39	Completed	Cap and Closure Completed 2Q 2019
Green River ATB #2	KU Project 39	Completed	Cap and Closure Completed 3Q 2019
Green River SO2 Pond	KU Project 39	Completed	Clean Closure Completed 2Q 2019
Mill Creek Ash Pond	LG&E Project 29	Completed	Cap and Closure Completed 3Q 2021
Mill Creek Clearwell Pond	LG&E Project 29	Completed	Clean Closure Completed & New Pond in Service 4Q 2018
Mill Creek Construction Runoff Pond	LG&E Project 29	Completed	Clean Closure Completed 2Q 2018 and New Pond in Service 3Q 2018
Mill Creek Emergency Pond	LG&E Project 29	Completed	Clean Closure Completed and area structurally backfilled in 2017
Mill Creek Dead Storage Pond	LG&E Project 29	Completed	Clean Closure Completed and area structurally backfilled 3Q 2019
Pineville Ash Pond	KU Project 39	Completed	Cap and Closure Completed 3Q 2019
Trimble County Bottom Ash Pond	KU Project 41, LG&E Project 30	Awarded August 13, 2021	April 2026
Trimble County Gypsum Storage Pond	KU Project 41, LG&E Project 30	Awarded August 13, 2021	April 2026
Tyrone Ash Pond	KU Project 39	Completed	Cap and Closure Completed 3Q 2019

<sup>3</sup> Engineering, Procurement, and Construction (“EPC”) Status – the red font signifies actuals.

<sup>4</sup> The Planned In-Service Dates reflect the executed EPCs – the red font signifies actuals. Ghent ATB #2 and Trimble County BAP was changed to 2024 and 2025, respectively, to reflect a mid-point between the original rule and the proposed rule changes being litigated. Trimble County GSP completion date reflects completion of the work; however, the removal of CCR was completed in the 3Q 2024.

<sup>5</sup> Project was placed into service during the 4Q 2022. Charges will continue to accrue into 2026 due to project close-out activities.

PWS Projects

<b><u>Project</u></b>	<b><u>Project #</u></b>	<b><u>EPC Status<sup>6</sup></u></b>	<b><u>Actual In Service Date</u></b>
E.W. Brown PWS	KU Project 42	Completed	Placed in Service May 2020
Ghent PWS	KU Project 40	Completed	Placed in Service April 2020
Mill Creek PWS	LG&E Project 29	Completed	Placed in Service October 2019
Trimble County PWS	KU Project 41, LG&E Project 30	Completed	Placed in Service October 2019

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<sup>6</sup> Engineering, Procurement, and Construction (“EPC”) Status – the red font signifies actuals.

## **E.W. Brown Landfill Phase II and Phase III**

Work associated with this project has been completed; no further work is required.

### **Quarterly Status Update:**

#### **Federal CCR Rule Closure Projects:**

##### **KU Project 40 – Ghent (GH) Station CCR Rule Compliance Construction and New PWS**

The Phase III scope was completed in 2024.

##### **KU Project 41 and LG&E Project 30<sup>7</sup> – Trimble County (TC) Station CCR Rule Compliance Construction and New PWS**

Trimble County – The companies continue to hold weekly and monthly project update meetings. Tetra Tech (“TT”) continued stormwater runoff management in the BAP and GSP, continued protective cover soil placement to the required thickness atop the BAP cap system, began placing seed and straw over areas where cover soil had been completed, and began installing riprap in the perimeter ditches of the BAP to provide permanent erosion control. TT continued soil backfill placement in the former GSP. TT’s subcontractor, Brandenburg, completed demolition of the former BAP/GSP pipe rack and abandoned piping within the rack.

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<sup>7</sup> KU and LG&E’s net costs are split 48% and 52%, respectively.



*Trimble BAP – Looking Northeast – October 2025*



*Trimble BAP – Looking Northeast – January 2026*



*Trimble GSP – Looking South – October 2025*



*Trimble GSP – Looking South – January 2026*

## **KU Project 42 – E.W. Brown (BR) Station CCR Rule Compliance Construction and New PWS**

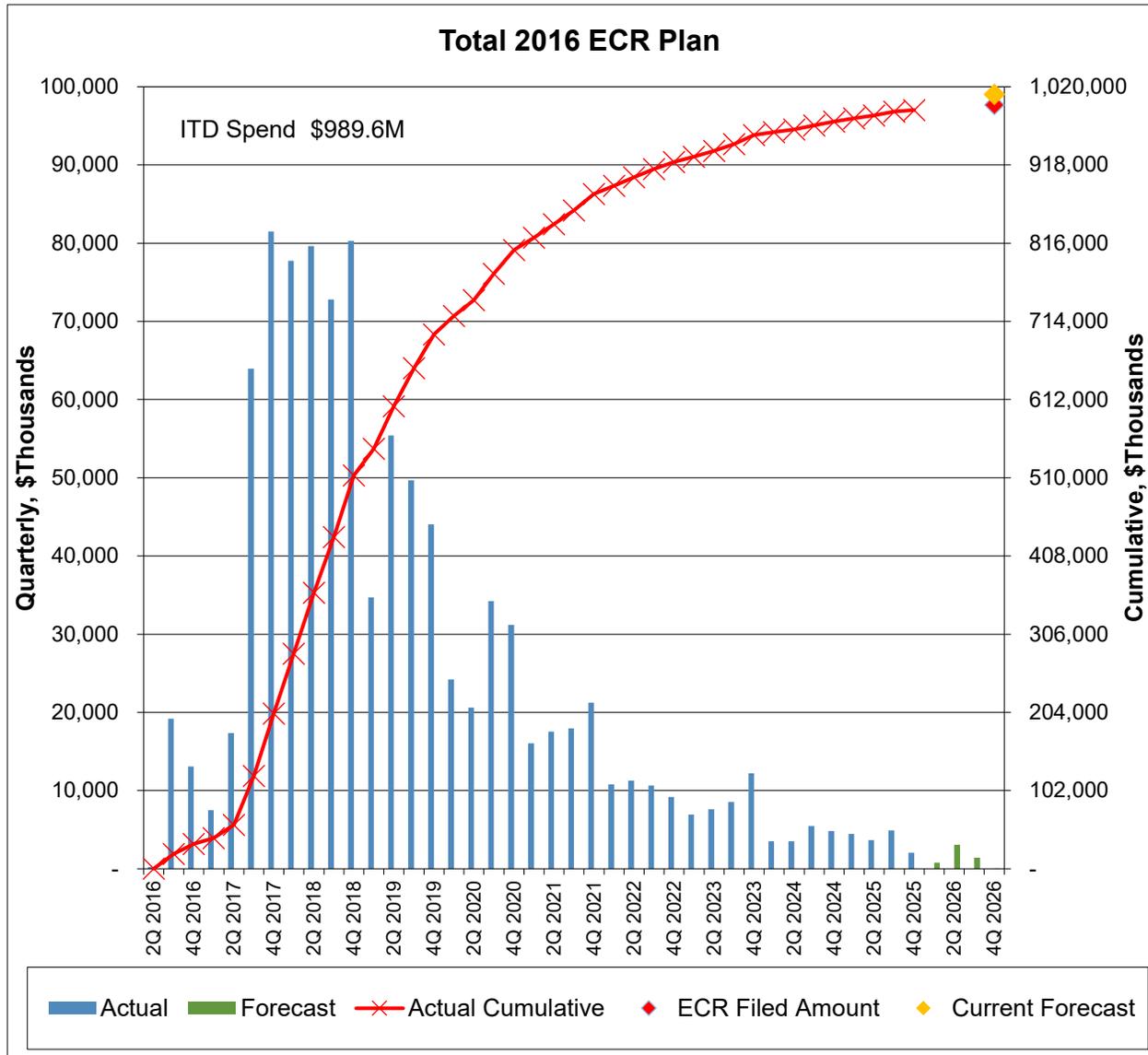
E.W. Brown – The Auxiliary Pond dewatering wells were operated late into the fourth quarter and then were winterized. A total of 2.3 million gallons of interstitial water was removed in 2025 achieving expectations for the year. Dewatering will recommence in March of 2026. Prior to that, an additional well and piezometer will be installed as well as additional cleaning of the existing wells to optimize their future performance. WSP and GWTT (“Ground/Water Treatment and Technology, LLC”) continue to provide technical support and analysis of field data collected. In mid-2026, a determination of next steps will be made based upon the performance of the dewatering system and the associated interstitial water level of the Auxiliary Pond.

## **LG&E Project 29 – Mill Creek (MC) Station CCR Rule Compliance Construction and New PWS**

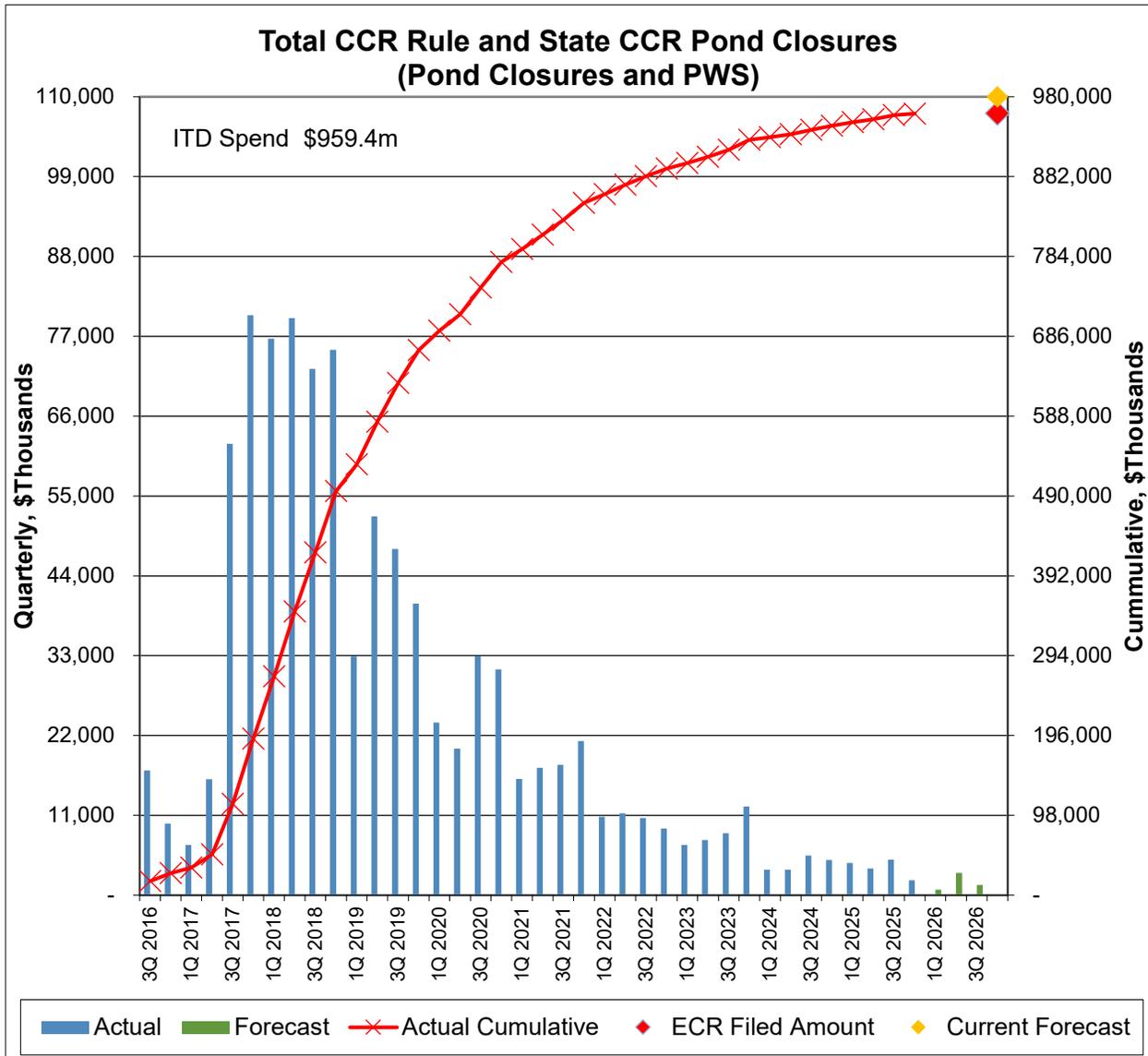
No further work is required.

**Financials:**

The total 2016 ECR Plan projected cost remained flat at \$1.0102 billion (net), compared to the filed total of \$996.4 million. Total spend-to-date through December 31, 2025 is \$989.6 million (net). The graph below includes 1) a symbol ( ◆ ) to show the current forecast to completion and (2) inception-to-date (“ITD”) Spend in the upper left of the chart.



The CCR Impoundment Closure total forecasted cost remained flat at \$980.0 million (net). Total spend-to-date through December 31, 2025 is \$959.4 million (net). The graph below includes 1) a symbol (◆) to show the current forecast to completion and (2) ITD Spend in the upper left of the chart.



## **Planned Activities for Next Quarter:**

### **Federal CCR Rule Closure Projects**

#### CCR Closures:

At Trimble County, TT will continue closure activities of the BAP and GSP. TT will complete protective cover soil placement on the closure cap of the BAP on select areas that have shown to have settlement and work to establish vegetation. TT will continue mass fill placement activities in the GSP through the end of the quarter.

At E.W. Brown, TT will continue to take dewatering well elevation readings on a bi-weekly basis. The Companies and WSP will be siting an additional piezometer and dewatering well which is planned to be installed by TT in February 2026. The existing dewatering well system will be cleaned and prepared to recommence operation in March 2026.

#### PWS Projects:

Complete. No further work is required.