

## **2016 ECR Plan Status Update Report Quarterly Report – Update #35 April 30, 2025**

### **Executive Summary:**

#### **General**

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

The overall 2016 ECR Plan safety performance through the first quarter of 2025 remains excellent with a Year-to-Date 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 increased to \$979.0 million (net) through March 31, 2025.

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

Safety performance through the first quarter is excellent with a Year-to-Date OSHA Recordable Incident Rate of 0.00 and an Inception-to-Date 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 March 31, 2025 increased to \$948.8 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.

In compliance with the U.S. Environmental Protection Agency's ("EPA") final closure deadline of April 11, 2021, the Companies have initiated closure of all unlined CCR surface impoundments. While the large scale of the various closure processes takes years to complete, all of the Companies' former CCR surface impoundments have ceased receiving CCRs for disposal and other process streams have been successfully re-routed, diverted, or otherwise modified so that the closed units no longer receive any other solid or liquid materials. The Companies continue to progress towards completing closure of one remaining CCR impoundment.

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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.

In May 2024, EPA finalized the Legacy CCR Surface Impoundment (Legacy) Rule. This effort expanded the scope of the 2015 CCR Rule to add former generating sites and CCR units to those governed by the Rule. EPA also used this regulatory revision to incorporate more aggressive interpretations into the regulatory process. The changes have potential to reverse near-mature regulatory compliance strategies for many utilities. Given the potential to dramatically affect near complete processes, legal challenges are ongoing.

### Recent EPA CCR Rule Initiatives

The changes associated with the Legacy Rule became effective November 8, 2024. These changes add three new sites, and at least five additional units, to those already within the scope of the Companies' CCR Rule compliance efforts. The Companies had already closed the former CCR surface impoundments at these new sites, in accordance with the CCR Rule requirements, but must now establish a groundwater monitoring network for each. Additionally, the Legacy Rule changes force the Companies to identify broadly defined CCR Management Units ("CCRMU") at the newly-regulated locations and at the existing five sites already subject to the 2015 CCR Rule. The Legacy Rule also requires the establishment of additional groundwater monitoring systems for the legacy impoundments and any CCRMUs identified by the Companies during their site investigations. As with CCR sites and units subject to the 2015 Rule, the additional sites, units, and CCRMU information is to be reported on the publicly accessible LG&E and KU CCR Rule website.

The new EPA administrator has determined that a review of the Legacy Rule is a priority for this administration. As noted previously, there is potential for additional changes to CCR rules and their implementation.

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

As the last of the CCR impoundment closures near completion, LG&E and KU plan to continue to implement current CCR Rule compliance strategies along with any revisions necessary to meet the requirements of the Legacy Rule. Finally, the Companies will track ongoing developments so that approaches and efforts can be adjusted, if necessary, to assure continued compliance.

### CCR Impoundment Closures

- Ghent – Phase III scope was completed in 2024. Engineering and permitting efforts are underway for the CCR processing area access road.
- E.W. Brown – The Auxiliary Pond dewatering wells were operated from August through December of 2024, having removed roughly 650,000 gallons of a total estimated 2,000,000 gallons. WSP and GWTT ("Ground/Water Treatment and Technology, LLC") continues to provide technical support and analysis of data collected in the field. Well redevelopment and production dewatering will continue in April 2025, due to favorable results of interstitial water removal.

WSP prepared construction drawings detailing modification of the northeast (NE) stormwater ditch. The redesign incorporates removal of the existing fabric-formed concrete ditch liners, upward extension of the NE stormwater inlet riser structure, installation of an additional 4'-0" of

soil, and new fabric-formed concrete. Additional ballast for the cap liner system will be provided through this modification providing protection against potential elevated water levels in this area of the impoundment. This scope was bid and responses are under review. The work is planned to commence in the second quarter of 2025.

- Mill Creek – Project was completed in 2022. No further work is required.
- Trimble County – TT continued managing stormwater runoff in the BAP and maintaining subgrade conditions to allow liner installation to progress as planned. TT continued installing geomembrane liner in the BAP and placing protective cover soil over lined areas. Minimal liner installation occurred during the first quarter due to weather impacts. The former Gypsum Storage Pond (“GSP”), which no longer contains CCRs, saw minor grade work performed and was maintained in a stable condition. Further work will resume in the former GSP footprint in the second quarter of 2025.
- 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 <sup>6</sup>
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	December 2025
Trimble County Gypsum Storage Pond	KU Project 41, LG&E Project 30	Awarded August 13, 2021	December 2025
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 2025 due to project close-out activities.

<sup>6</sup> Project was placed into service during the 3Q 2024. Charges will continue to accrue into 2025 due to project close-out activities.

## PWS Projects

<u>Project</u>	<u>Project #</u>	<u>EPC Status</u> <sup>7</sup>	<u>Actual In Service Date</u>
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>7</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. Engineering and permitting efforts are underway for the CCR processing area access road.



*Phase III Ghent ATB #2 – No Change From December 2024*



## **KU Project 41 and LG&E Project 30<sup>8</sup> – Trimble County (TC) Station CCR Rule Compliance Construction and New PWS**

The Companies continue to hold weekly and monthly project update meetings. TT continues managing stormwater runoff from the Bottom Ash Pond (“BAP”) and Gypsum Storage Pond (“GSP”), installing geomembrane liner in the BAP, hauling and placing protective cover soil over lined areas, and completed liner installation in the northeast corner of the BAP. Limited liner installation occurred during the quarter due to weather impacts. The former GSP, which no longer contains CCRs, experienced some minor flooding during the quarter due to elevated water levels in the Ohio River but was maintained in a stable condition.

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<sup>8</sup> KU and LG&E’s net costs are split 48% and 52%, respectively.





*Trimble BAP – Looking Northeast – December 2024*



*Trimble BAP – Looking Northeast – April 2025*





*Trimble GSP – Looking South – December 2024*



*Trimble GSP – Looking South – February 2025*

### **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 from August through December 2024, having removed roughly 650,000 gallons of a total estimated 2,000,000 gallons. WSP and GWTT (“Ground/Water Treatment and Technology, LLC”) continues to provide technical support and analysis of data collected in the field. Well redevelopment and production dewatering will continue in April 2025, due to favorable results of interstitial water removal.

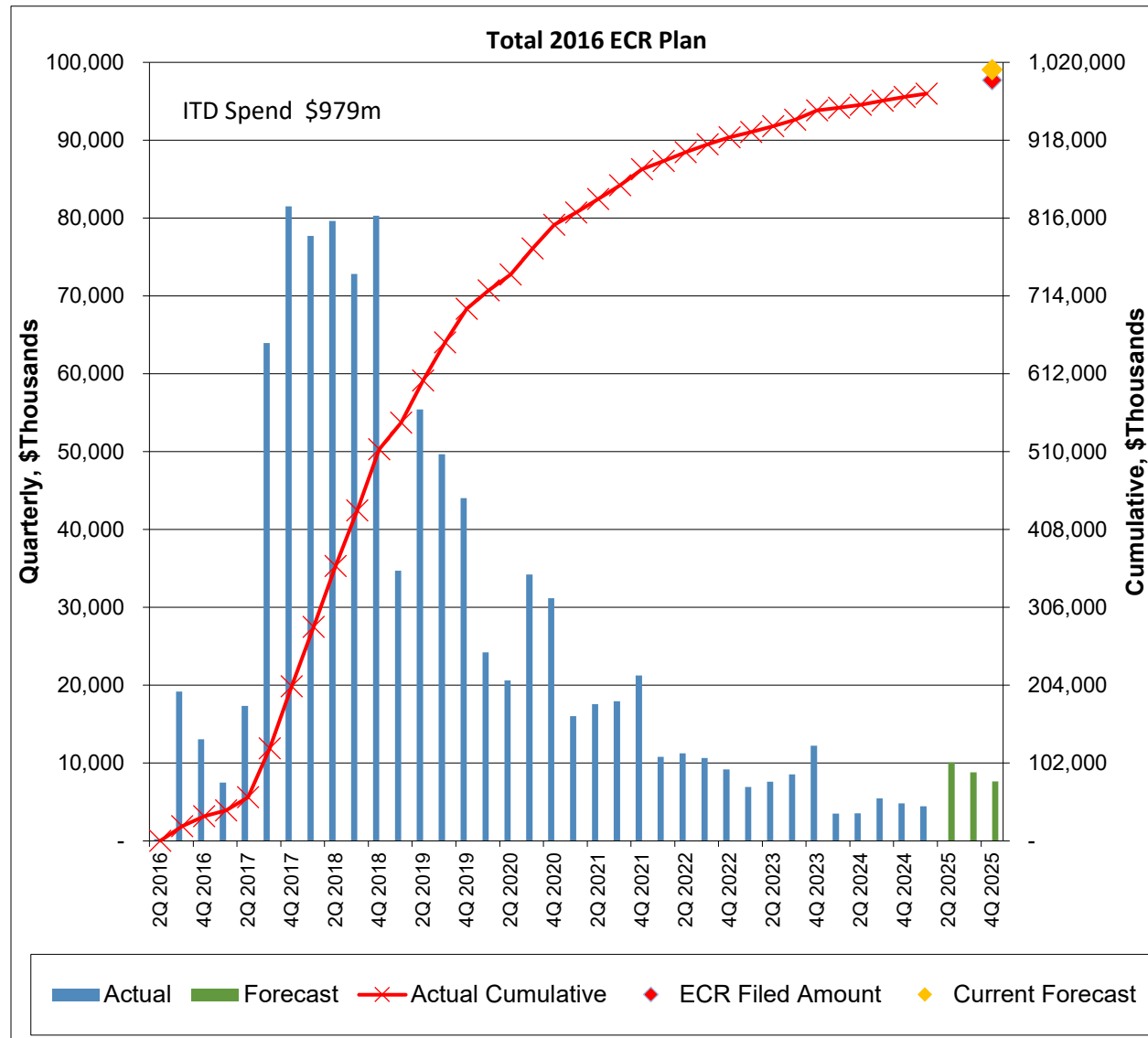
WSP prepared construction drawings detailing modification of the northeast (NE) stormwater ditch. The redesign incorporates removal of the existing fabric-formed concrete ditch liners, upward extension of the NE stormwater inlet riser structure, installation of an additional 4’-0” of soil, and new fabric-formed concrete. Additional ballast for the cap liner system will be provided through this modification providing protection against potential elevated water levels in this area of the impoundment. This scope was bid, and responses are under review. The work is planned to commence in the second quarter of 2025.

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

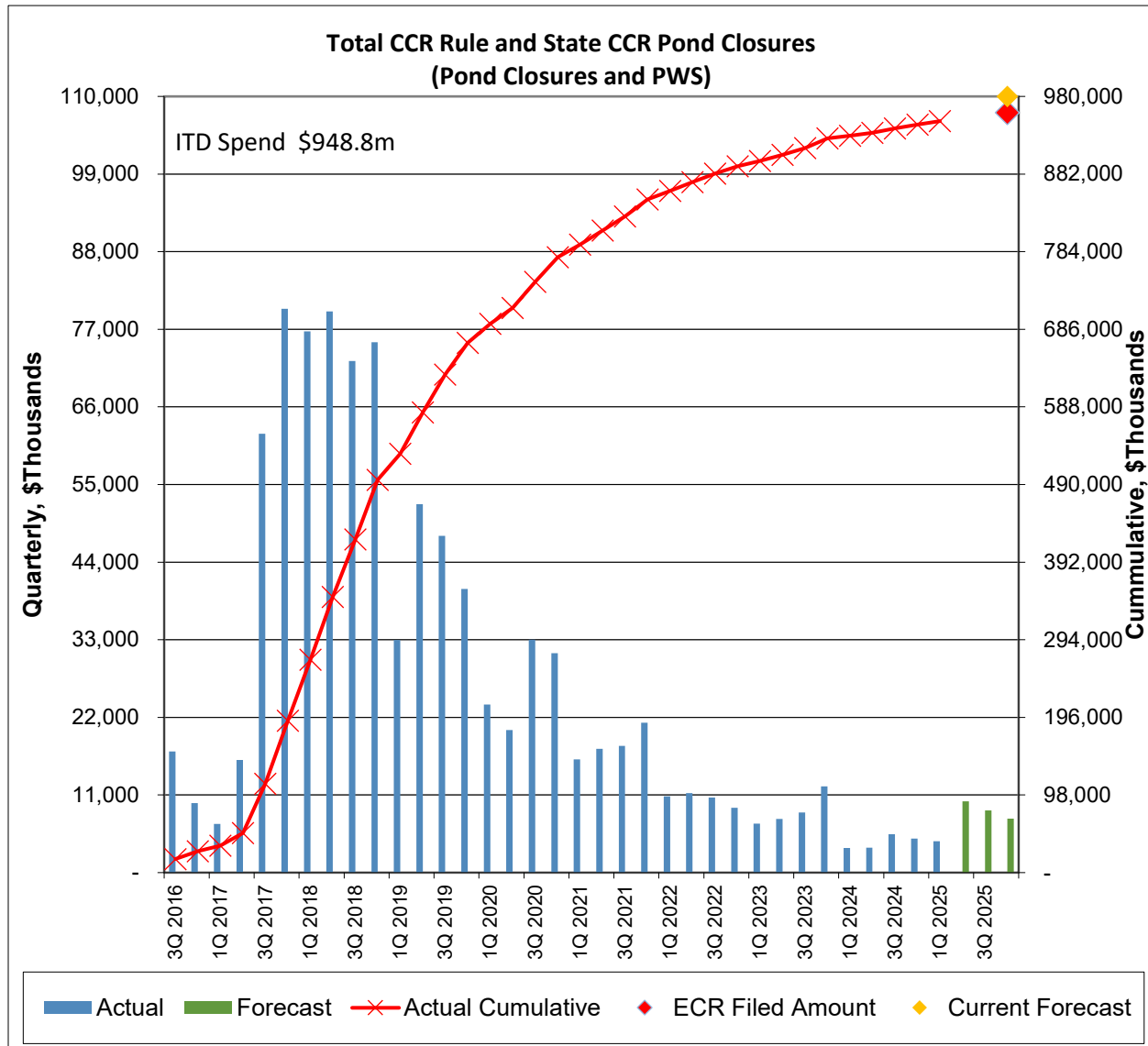
No further work is required.

## 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 through March 31, 2025 increased to \$979.0 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 through March 31, 2025 has increased to \$948.8 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 Bottom Ash Pond and Gypsum Storage Pond. TT will complete geomembrane liner installation on the closure cap of Bottom Ash Pond and continue protective cover soil placement. TT will resume work in the GSP, which will include dewatering and mass fill placement activities.

At E.W. Brown, the Companies and WSP will continue to analyze dewatering well elevation readings. TT will continue to operate and maintain the dewatering well system. Dewatering and treatment will continue throughout 2025 assuming the system continues to effectively remove interstitial water. Upon completion of dewatering, the well system equipment will be removed and the wells retired in place. Regrading of the vegetated cap and seeding will commence in late 2025. The NE stormwater ditch design work is targeted to be awarded, and work may commence in the second quarter of 2025.

At Ghent, a bid will be issued for the construction of the access roadway to the CCR processing area.

The Companies will continue to monitor and work through warranty and maintenance issues, on all the projects, should they arise.

#### **PWS Projects:**

Complete. No further work is required.