

**LOCATION RESTRICTION DEMONSTRATION
PLACEMENT ABOVE THE UPPERMOST AQUIFER
40 C.F.R. 257.60
PLANT DANIEL ASH POND B
MISSISSIPPI POWER COMPANY**

EPA's "Disposal of Coal Combustion Residuals from Electric Utilities" Final Rule (40 C.F.R. Part 257, Subpart D) requires the owner or operator of an existing CCR surface impoundment to make a demonstration that the facility meets certain location restrictions. Per § 257.60, the owner or operator must demonstrate that the facility has been constructed with a base that is located no less than 1.52 meters (5 feet) above the upper limit of the uppermost aquifer, or must demonstrate that there will not be an intermittent, recurring, or sustained hydraulic connection between any portion of the base of the CCR unit and the uppermost aquifer due to normal fluctuations in groundwater elevations (including the seasonal high water table).

The CCR surface impoundment located at Mississippi Power Company's Plant Daniel, also referred to as the Plant Daniel Ash Pond B, is located on Plant Daniel property, north of Moss Point, Mississippi. Based on a review of available groundwater data, Ash Pond B is absent the minimum 5-foot separation between the base of the CCR unit and the upper limit of the uppermost aquifer as required by 40 C.F.R. §257.60, and therefore under current operating conditions does not meet this location restriction. Accordingly, the Ash Pond is subject to § 257.101(b)(1)(i).

James C. Pegues
Licensed State of Mississippi Engineer No. 18942



The seal is circular with a double-line border. The outer ring contains the text "STATE OF MISSISSIPPI" at the bottom and "JAMES C. PEGUES" at the top. The inner ring contains "LICENSED PROFESSIONAL ENGINEER" and the license number "18942" in the center.