



**Jeffrey W. Cown, Director**

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**Land Protection Branch**  
4244 International Parkway  
Suite 104  
Atlanta, Georgia 30354  
404-362-2537

Jan 04, 2024

Ms. Jennifer McNelly  
Environmental Affairs  
Georgia Power  
241 Ralph McGill Boulevard  
Atlanta, GA 30308

**SUBJECT:** Heard County – Plant Wansley CCR Landfill  
Permit Number 074-005D(CCR)  
Request for Buffer Variance Under O.C.G.A. 12-8-23.1(a)(11)  
GEOS Submittal ID 783463

Dear Ms. McNelly:

The Georgia Environmental Protection Division (EPD) received Georgia Power's revised *Request for Minor Modification to Solid Waste Handling Permit: Buffer Relocation and Variance* (Minor Modification) for the Plant Wansley Coal Combustion Residuals (CCR) Landfill on October 11, 2023. The variance request to allow access, drilling, and grading within the northern 200-foot landfill buffer requires public notice of intent to issue a variance followed by a 30-day public comment period.

A Notice of Intent to issue a buffer variance for the Wansley CCR Landfill was posted on the EPD website on November 15, 2023. The comment period ended December 15, 2023. No comments were received.

Pursuant to O.C.G.A. § 12-8-23.1(a)(11) and Ga. Comp. R. and Regs. R. 391-3-4-.10(11)(b), the Director may grant a variance from requirements in Rule 391-3-4-.10 provided that the variance is not inconsistent with or less stringent than federal law or regulation. EPD has determined that a variance is appropriate and is neither inconsistent with nor less stringent than the federal regulations found at 40 C.F.R. § 257.101.

The granting of this variance does not apply to any other CCR units under Georgia Power's ownership or operation and does not relieve it of any obligation or responsibility for complying with the provisions of any other law or regulations of any federal, local or additional State authority.

If you have any questions or need additional information, please contact Keith Stevens by email or phone at [keith.stevens@dnr.ga.gov](mailto:keith.stevens@dnr.ga.gov) or (470) 251-2515.

Sincerely,

Jeffrey W. Cown  
Director

cc: Tyler Boyles, Tim Earl, David Gibbons, Bret McClellan: GP  
William Cook, Keith Stevens, Tammy Buchli, and Beverly Tipton: EPD  
GEOS 783463