

Update: Vermilion Power Station Owner Proactively Taking Steps to Stabilize Riverbank Consistent With 2023 Consent Order

Background: Since acquiring the closed Vermilion Power Station in 2018, Vistra Corp. has focused on securing approval for its comprehensive site closure plan aimed at protecting the environment, groundwater, and community. In June 2023, Vistra's subsidiary, Dynegy Midwest Generation, LLC, which is the owner of Vermilion Power Station, entered a court-approved multi-party agreement to oversee closure of the coal ash ponds and demolition of the retired plant. In January 2022 the company applied to the Illinois EPA (IEPA) for permits to close the ash ponds as provided in the court-approved agreement by removing and relocating coal ash residuals to a landfill and is awaiting approval to proceed. We will begin the permanent closure as soon as we receive approval from IEPA. It will take approximately 12 years to complete once started.

The company's top priority is responsible stewardship of the site, including the permanent closure of the ash ponds using environmentally sound methods that protect the community and environment as soon as we receive approval from IEPA.

Completed Actions: During the four years that we have been awaiting permit approval, the company has taken proactive measures and prepared the site for rapid response if needed. This preventive approach focuses on protecting the adjacent river and wildlife area by keeping the coal ash stable and secure until we can implement the permanent solution. Actions taken include:

- **IEPA-approved Safety Emergency Response Plan:** The company crafted and implemented an IEPA-approved Safety Emergency Response Plan to guide inspections and contingency plans during the permitting and construction phases. As part of this plan, actionable construction-ready designs were crafted to stabilize riverbank areas, and thresholds were established to determine when this preventative work might become necessary.
- **Improved Stability of Impoundments:** Several precautions have been taken to improve the stability of the existing impoundments and reduce the risk of off-site contamination. With IEPA approval and coordination, water was removed from the ash ponds, and a groundwater collection trench was installed to prevent groundwater from moving through the impoundment and into the river. The IEPA approved these interim site improvements. The trench's construction further fortified the existing ash ponds by installing sheet piling, providing an additional interim protection against off-site transmission of coal ash

residual constituents until we can implement the permanent solution.

- **Ongoing Site Inspections:** Team members conduct weekly site inspections, including checks of impoundment embankments, assessments of pond structural integrity, monitoring of water levels on the property and in the adjacent river, and reviews for any signs of deterioration or releases. Reports are shared with IEPA, IDNR, a local environmental non-government organization, and published online.
- **Erosion Mitigation:** Specialists designed a system that could be deployed to provide additional buffer, protection, and stabilization for small riverbank sections to prevent further natural erosion. An on-site initial stockpile of 750 tons of riprap, large angular stones, and boulders used to protect and restore riverbanks allows the site team to respond quickly to implement a further additional interim protective measure if erosion reaches certain thresholds.
- **Riverbank Monitoring:** To precisely monitor the condition of the riverbank, the plant conducts monthly inspections and quarterly drone surveys. This accurate data collection is part of the plant's routine, ongoing maintenance designed to keep the embankments performing as intended.
- **Issue Prevention & Identification:** This comprehensive approach focuses on identifying issues and preventing environmental problems through proactive site management.

What You Should Know About the Upcoming

Project: Consistent with its dedication to a safe and responsible closure, based on current embankment monitoring, the company is implementing additional interim measures to further stabilize the riverbank near its ash impoundments.

There has been no release, no breach, and no change in the condition of the ash ponds. The embankments continue to perform as designed, with strength and capacity to spare

This initiative is expected to take a total of 10 weeks from start to finish and focus on up to 500 feet of riverbank. Construction will occur after the Labor Day holiday.

Impact to River Usage: Public safety in the river and around the work area is the top priority. The plant is in coordination with IDNR to minimize the disruption to the public's enjoyment of the river when construction work begins in mid-September. The community is asked to observe posted signage and any on-water direction from crews or IDNR. Short closures of this stretch of river may be imposed while stone is placed, or equipment is staged or operating.

What to Expect: While the embankments continue to perform as designed with excess strength and capacity, the company will take preventative measures to reinforce certain sections of the riverbank that have eroded naturally with riprap, before they become an area of concern. This scope of work is guided by the unique conditions of the property, the adjacent river, and the company's commitment to site stewardship. Here is what to expect:

- A brief increase in truck traffic, material staging, and work along a short segment of the riverbank.
- Additional visible activity near the plant property or ponds, including vehicles, workers, and erosion control materials.

- All native mussel species will be relocated. The plant is in coordination with the U.S. Fish and Wildlife Service and Illinois Department of Natural Resources and this work will be completed before any construction that could disturb their habitat.
- Once installed, the riprap buffer is expected to remain in place along the embankment until the permanent ash pond closure is completed following IEPA approval of our permits. Then the riprap will be removed.
- Temporary on-site signage urging caution and brief river closures for recreational activities may be necessary to protect workers and the public while riprap is installed or equipment is staged or in use.
- After the riverbank stabilization project is complete, the plant will continue rigorous monitoring and inspections.

All work will be carried out according to previously submitted designs and protocols, under the oversight of responsible agencies. This stabilization project will improve the site and reduce erosion toward the plant property until permanent closure is completed.

Statement of Dynegy Midwest Generation, LLC, the site owner:

"Since acquiring the retired Vermilion plant property in 2018, the company has prioritized responsible closure of the impoundments to protect the environment, groundwater, the public, and the Middle Fork Vermilion River. While awaiting approval to implement the permanent closure plan under the 2023 Consent Order, our team has taken further steps to secure the site and stabilize the existing ash impoundments before the material can be relocated to a new landfill.

"Each coal plant is unique, so we have developed a science-based plan to permanently close and secure coal ash residuals at the Vermilion site, tailored to its specific characteristics. Our rigorous monitoring, inspections, and proactive embankment measures reflect our commitment to safety and responsible stewardship, ensuring long-term protection of the river and wildlife areas for generations to come."

- The Vermilion Power Station began operations in 1955 and retired in 2011.
- Vistra Corp. acquired Dynegy Midwest Generation, LLC as part of a 2018 merger, which included the retired plant property; Vistra never operated the plant.
- The property was the subject of state litigation, and before those proceedings began in 2021, the company negotiated with the Attorney General and the State's Attorney for Vermilion County to develop an Agreed Interim Order detailing steps the plant would take to protect the site until a final plan was developed and approved by all parties.
- In June 2023, to resolve the matter and gain agreement on a permanent closure plan, the company entered into a Consent Order establishing a framework for the closure of the impoundments and providing donations to support local conservation and environmental education initiatives.