

From: STILZ, DON

Sent: Wednesday, December 17, 2025 2:47 PM

To: 'Mibroda, Jason' <Jason.Mibroda@alcoa.com>; Rucker, Brandie <brandie.rucker@alcoa.com>

Cc: Zulkowski, Stephen <SZulkowski@idem.IN.gov>; Warrener, Matt <MWarrener@idem.IN.gov>; Hamblin, Richard <rhamblin@idem.IN.gov>; Gillay, David <david.gillay@btlaw.com>; Pfeifer, Gregory J. <Gregory.Pfeifer@alcoa.com>; BANSCH, PAULA <PBANSCH@idem.IN.gov>; Lang, Julie <jiang@idem.IN.gov>

Subject: RE: Warrick Operations

Jason,

We will begin drafting the proposed Corrective Action Agreed Order soon for the part of the facility that we now recognize is owned and operated by Alcoa Power Generating Inc (first attachment). Upon approval of the order, Warrick Newco's post-closure permit must be modified to account for the SWMUs and AOCs that will be deferred to the order and other changes that result from noting the separation of APGI from the permitted facility. As mentioned previously, we need to begin discussions soon so the correction to the permit can be made.

Regarding Ash Pond A, referred to as SWMU 31 in Warrick Newco's permit, I reviewed the letter you forwarded (second attachment), which in part stated, "According to the Finding of Facts section of Agreed Order, Case No. 2000-10085, representatives of IDEM were notified of the seep at Ash Pond A on November 22, 2000. The existing collections system and sump are the product of an action plan approved by IDEM on July 5, 2001. A notification of completion of all terms and conditions of the agreed order was provided to IDEM on September 12, 2001." There is no disagreement that Alcoa addressed the observed November 2000 release as required under Agreed Order, Case No. 2000-10085 as noted in IDEM's Resolution of Cause and Close Out Notification letter (third attachment). That letter indicates the Eljen drain and soil toe buttress installation project was effective in addressing the seep from Ash Pond A.

However, as noted in that October 10, 2001, resolution letter, a new enforcement action would be initiated if compliance is not maintained. Because Alcoa's previous response was successful, a reasonable conclusion is the current seep from Ash Pond A constitutes a new release. The September 5, 2025, email that began this thread advised Alcoa/APGI that it served as IDEM's notification that an RFI Work Plan was due within 90 days pursuant to Permit Condition V.D.2.a. We are now at Day 103.

Please contact me within five days with Alcoa's availability to meet to discuss the development of the AGPI Corrective Action Agreed Order, the steps to be taken for the permit modification, including its class, and the timing of the submission of the work plan to address the release from SWMU 31.

Don

From: Mibroda, Jason <Jason.Mibroda@alcoa.com>

Sent: Thursday, November 20, 2025 9:22 AM

To: STILZ, DON <DSTILZ@idem.IN.gov>; Rucker, Brandie <brandie.rucker@alcoa.com>

Cc: Zulkowski, Stephen <SZulkowski@idem.IN.gov>; Warrener, Matt <MWarrener@idem.IN.gov>; Hamblin, Richard <rhamblin@idem.IN.gov>; Gillay, David <david.gillay@btlaw.com>; Pfeifer, Gregory J. <Gregory.Pfeifer@alcoa.com>

Subject: RE: Warrick Operations

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Don,

Thanks for the follow up and introduction. I look forward to meeting Steve in person soon.

Please see attached a response to your previous inquiry. I've also added this letter to IDEM's Alcoa-Warrick SharePoint folder.

Regarding the Ash Pond, a search of our records identified that the seep was subject to an Agreed Order, Case No. 2000-10085. The Finding of Facts associated with the order provides clarification. If you have further questions, please contact me to discuss.

Regarding APGI, I've informed our legal counsel to the need to schedule a follow up conversation on modifying the permit and consider an Order.

Jason Mibroda, PE

Alcoa Corporation | Remediation Manager
+412-576-5327 (M)

From: STILZ, DON <[DSTILZ@idem.IN.gov](mailto:dstilz@idem.IN.gov)>

Sent: Wednesday, November 19, 2025 3:30 PM

To: Mibroda, Jason <jason.mibroda@alcoa.com>; Rucker, Brandie <brandie.rucker@alcoa.com>

Cc: Zulkowski, Stephen <szulkowski@idem.IN.gov>; Warrener, Matt <MWarrener@idem.IN.gov>; Hamblin, Richard <rhamblin@idem.IN.gov>

Subject: EXT: FW: Warrick Operations

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, Jason and Brandie. First, I want to introduce you to Steve Zulkowski. Steve is stepping into the Corrective Action project manager role for Warrick Newco and APGI. I also want to check in with you regarding when we can expect the RFI Work Plan for Ash Pond A (SMMU 31). The 90-day window to submit the plan ends in a couple of weeks. We also need to set a meeting date within the next three weeks to discuss moving APGI's corrective action requirements out of Warrick Real Estate/Warrick Newco's permit into an order. My hope is the same meeting can be used to work out the details of transitioning APGI's NPDES permit requirements for seep identification/notification from OWQ to OLQ. For this last purpose, I have copied Matt and Richard of OWQ. In addition to those named in this email, I expect to have our project geologist and a second geologist who represents IDEM in CCR issues attend the portion of the meeting that addresses SMMU 31. Please let me know if you will include legal representation so that I can coordinate with our attorneys.

Thanks,
Don

From: STILZ, DON

Sent: Friday, September 5, 2025 1:16 PM

To: Rucker, Brandie <brandie.rucker@alcoa.com>; Mibroda, Jason <jason.mibroda@alcoa.com>

Cc: Gillay, David <david.gillay@btlaw.com>; Pfeifer, Gregory J. <gregory.pfeifer@alcoa.com>; Lang, Julie <lang@idem.IN.gov>; BANSCH, PAULA <FBANSCH@idem.IN.gov>

Subject: Warrick Operations

Brandie and Jason,

IDEM's Office of Water Quality informed me that the attached Ash Pond Inspection Report identified a seep located in the southwest corner of Ash Pond A (aka SMMU 31). According to the report, the seepage rate is between one and two gallons per minute. As you are aware, identified releases from solid waste management

units are to be reported, pursuant to Permit Condition V.C.2. of the facility's Hazardous Waste Post-Closure Permit so that we can determine whether a release investigation and/or corrective measures are needed.

Given that this release is from a SWMU that is shown to fall within APGI's boundary as depicted in the attached figure, it is imperative that we understand the relationship between APGI and Warrick Real Estate and/or Warrick Newco, as communicated in Julie's email to Dave from August 28 (attached). To that end, the attached figure needs to be modified to show the extent of Warrick Real Estate's ownership. Also, if APGI is a separate entity (either owner and/or operator), as the figure appears to declare, the post-closure permit application must be amended to include APGI, leading to the permit renewal including APGI as an additional owner/operator.

Please consider this IDEM's formal request for more information on SWMU 31's release, including proposed corrective actions to prevent future releases from this seep. Permit Condition V.D.2.a. stipulates the RFI Work Plan is due within 90 days of this notice. I am not commenting on Schnabel Engineering's report, but in developing the work plan, you should consider the report's recommendations, including the need for groundwater monitoring. While Schnabel recommended installing piezometers, OLQ's technical recommendation is for monitoring wells.

I am available today to answer any questions you may have.

Don



Donald Stilz

Chief | Hazardous Waste Permit Section
Permits Branch | Office of Land Quality
Indiana Department of Environmental Management

(317) 232-3409 | dstilz@idem.IN.gov





INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

E-File

Frank O'Bannon
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Lori F. Kaplan
Commissioner

October 10, 2001

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Tom M. Engelgau
Staff Environmental Engineer
Aluminum Company of America
Warrick Operations
Newburgh, Indiana 47629-0010

Re: Resolution of Cause and Close Out Notification
Commissioner, Indiana Department of
Environmental Management

vs.

Alcoa, Inc,
Agreed Order, Case No. 2000-10085-W

Dear Mr. Engelgau:

This letter is to advise you that it has been determined by this Office, subsequent to the issuance of the above-referenced Agreed Order on February 7, 2001, that Alcoa, Inc. has complied with the terms of the Order in Case No. 2000-10085-W and the enforcement action is now closed. IDEM received your Final Report dated September 28, 2001 regarding the Eljen drain and soil toe buttress on Ash Pond A, which indicated that the project was completed on September 7, 2001, thereby completing the plan to cease Ash Pond seepage that was approved on July 5, 2001, and completing the requirements of Section II. part 2.b. of the Agreed Order. A new enforcement action would be initiated if compliance is not maintained with applicable rules and regulations.

If you have any questions on this matter, please contact Terry Ressler at 317/232-8433.

Sincerely,

Mark W. Stanifer, Chief
Water Enforcement Section
Office of Enforcement

cc: U.S. EPA, Region 5, Office of Water
Warrick County Health Department



Alcoa Corporation

201 Isabella Street
Suite 500
Pittsburgh, PA 15212-5858 USA
Tel: 1 412 315 2900

November 19, 2025

Mr. Don Stilz, Section Chief
Indiana Department of Environmental Management
110 N. Senate Ave.
Indianapolis, Indiana 46204

Subject: Warrick Operations, Solid Waste Management Unit (SWMU) 31 - Ash Pond A
Hazardous Waste Management – Post Closure Permit, EPA ID# IND006366819

Dear Mr. Stilz:

This correspondence is provided in response to your September 5, 2025, e-mail (e-mail) request for information pertaining to Solid Waste Management Unit (SWMU) 31 - Ash Pond A, located at the Warrick Operations (Facility) in Newburgh, Warrick County, Indiana. Your e-mail included two informational requests as noted below.

Define the ownership and operational relationships between Warrick Real Estate, LLC, Warrick Newco, LLC, and Alcoa Power Generating, Inc. (APGI) given the potential implications to the Post-Closure Permit application.

Provide additional information regarding the Ash Pond A seep.

The requested information is provided in the following.

OWNERSHIP AND OPERATIONAL RELATIONSHIPS

Your e-mail raised a question regarding whether Alcoa Power Generating, Inc. (APGI) is a separate entity (either owner or operator) from Warrick Real Estate and Warrick Newco, given Ash Pond A is depicted on a figure identifying APGI as the owner and operator of this SWMU.

As noted during previous phone conversations, Warrick Real Estate, LLC, Warrick Newco, LLC, and APGI are all affiliates of Alcoa Corporation. A revised figure and table were subsequently submitted¹ to better define the ownership and operational responsibilities to which were included in the final Hazardous Waste Post-Closure Permit (Post-Closure Permit), issued September 30, 2025.

¹ Email submittals: (1) David Gillay to Julie Lang, Subject RE: Kaiser CAAO - IDEM's latest response, dated August 28, 2025; (2) David Gillay to Julie Lang, Subject Re: Kaiser CA AO – IDEM's latest Response, dated September 8, 2025; (3) Jason Mibroda to Don Stilz, subject: Requested Figure – Warrick Facility, dated September 18, 2025.

ASH POND A SEEP BACKGROUND AND ACTIVITIES TO DATE

The following is provided in response to the request for additional information regarding the Ash Pond A seep documented in the Schnabel Engineering, *Alcoa Warrick Ash Ponds Summary of Observations for 2019 Annual Report (Schnabel Report)*, dated December 13, 2019. The request cites Permit Condition V.C.2. of the Facility's Hazardous Waste Post-Closure Permit which pertains to release reporting.

Ash Pond A is a wet impounding structure that captures and dewater bottom ash from the coal fired boilers that are operated by APGI at the Facility and is permitted (NPDES Permit IN0001155). According to the Finding of Facts section of Agreed Order, Case No. 2000-10085, representatives of IDEM were notified of the seep at Ash Pond A on November 22, 2000. The existing collections system and sump are the product of an action plan approved by IDEM on July 5, 2001. A notification of completion of all terms and conditions of the agreed order was provided to IDEM on September 12, 2001.

Routine inspections and maintenance of the seep collection system have occurred since installation. Additionally, independent annual inspections of the ash ponds are conducted under Alcoa's adaption of the Global Industry Standard on Tailings Management, which sets a precedent for the safe management of tailings facilities, and as documented in the *Schnabel Report*.

This letter is provided in response to IDEM's September 5, 2025 formal request for more information on Ash Pond A. The request also requests proposed corrective actions to prevent future releases. Alcoa maintains that the actions taken to date adequately mitigate and control the Ash Pond A seep and therefore does not require additional action.

CONCLUSION

Please contact Jason Mibroda at your convenience if you have any questions, require additional information, or would like to arrange a time to discuss it further.

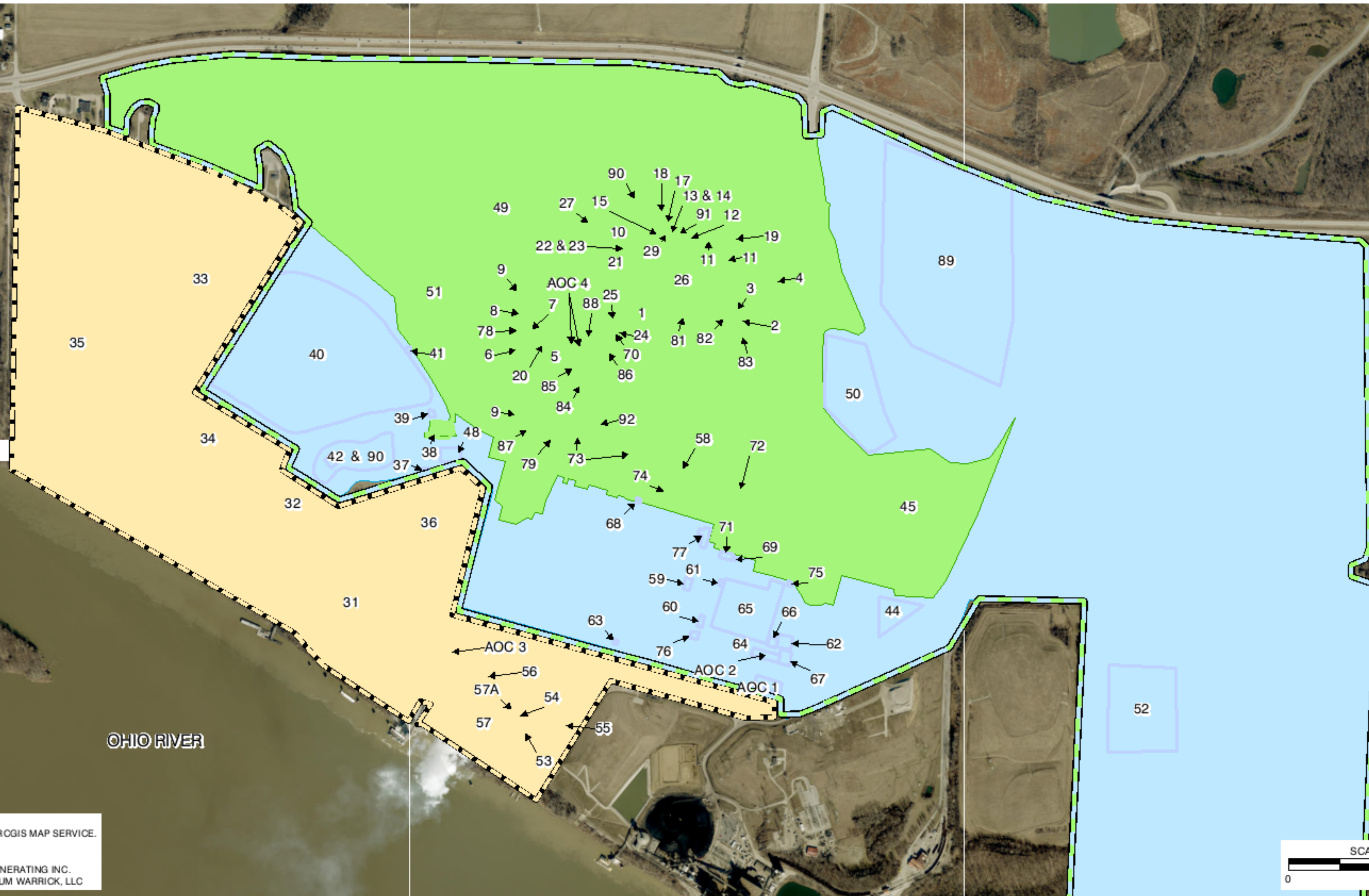
Respectfully,



Robyn L. Gross

Vice President

Warrick Real Estate LLC & Warrick Newco LLC



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REFERENCES
 1. ESRI WORLD IMAGERY / ARCGIS MAP SERVICE. ACCESSED 9/17/2025.

NOTES
 1. APCI = ALCOA POWER GENERATING INC.
 2. KAISER = KAISER ALUMINUM WARRICK, LLC



OWNERS	OPERATOR	SWMU ENTITY
APCI	APCI	APCI
WARRICK REAL ESTATE, LLC	KAISER	KAISER
	WARRICK NEWCO, LLC	WARRICK NEWCO, LLC

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WARRICK NEWCO LLC.
 WARRICK COUNTY, INDIANA

SWMU ENTITY MAP

DRAWN BY: AGD	CHECKED BY: JMB	APPROVED BY: JMB*	FIGURE NO: 1
DATE: 9/17/2025	SCALE: 1" = 1,000'	PROJECT NO: 164-578	

*Hand Signature on file