



A DIVISION OF PACIFICORP

DAVE JOHNSTON STEAM ELECTRIC PLANT

1591 TANK FARM ROAD • GLENROCK, WYOMING 82637 • PHONE (307) 436-2712 • FAX (307) 436-2020

March 30, 2009

Mr. Richard Kinch
US Environmental Protection Agency
Two Potomac Yard
2733 S. Crystal Dr.
5th Floor; N-5783
Arlington, VA 22202-2733

Via Overnight Delivery

Re: Dave Johnston Power Station: Request for Information Under Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9604(e) dated March 9, 2009 and received on March 16, 2009

Dear Mr. Kinch,

This letter and the enclosed materials constitute the response of the Dave Johnston Power Station to the above request for information. Specifically, this letter and the enclosed materials provide the Dave Johnston Power Station's response "to each request for information set forth in the Enclosure [A], including all documents responsive to such request."

Although PacifiCorp, as operator of the Dave Johnston Power Station, intends to cooperate fully in responding to the request for information, this response is made subject to the objections and other exceptions as noted herein.

Moreover, PacifiCorp affirmatively asserts that the ten business day response deadline contained in the request for information is unrealistically short and does not reasonably reflect the type and volume of responsive information which EPA has requested, particularly when considering that PacifiCorp is required to provide similar responses at three other facilities at the same time. Therefore, PacifiCorp objects to this deadline and reserves the right to supplement this response after the 10 business day deadline with any materials that it was unable to gather and submit by the requested deadline.

Please be aware that PacifiCorp has included in this response those "surface impoundments or similar diked or bermed management unit(s)" at the Dave Johnston Power Station which appear to be covered by the Request for Information. These "surface impoundments or similar diked or bermed management units" are described in more

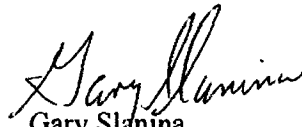
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detail below. PacifiCorp has not included in this response, however, stormwater and wastewater retention basins which are neither managed nor operated as coal combustion waste impoundments even though they may contain storm or waste water which has been in incidental contact with coal ash or coal combustion products. Please advise us to the extent EPA interprets its request for information to include these stormwater and wastewater retention basins.

I certify that the information contained in this response to EPA's request for information and the accompanying documents is true, accurate and complete. As to the identified portions of this response for which I cannot personally verify their accuracy, I certify under penalty of law that this response and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, those persons directly responsible for fathering the information, the information submitted is, to the best of my knowledge, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

If you have any questions regarding this response, please direct them to Mr. Brett Shakespear at 801-220-2575 or at brett.shakespear@pacificorp.com. Legal inquiries should be made to Mr. Michael Jenkins at 801-220-2233 or at michael.jenkins@pacificorp.com.

Sincerely,



Gary Slamina
Managing Director
Dave Johnston Power Station

cc: Brett Shakespear, Michael Jenkins

Response To Enclosure A For 1A Ash Pond

The term "1A Ash Pond" as used in this response means a single pond that historically received bottom ash from the plant. A portion of the pond is currently being closed. The remaining portion of the pond will be used as a clear pond for 1B Ash Pond. The water from the pond drains to 1A Clear Pond. EPA's Enclosure A requests are reproduced below in italics and separated within request numbers for ease of response. The responses below are offered without waiving any of the objections noted herein and in the cover letter.

Dave Johnston Power Station Response to Request No. 1

"Relative to the National Inventory of Dams criteria for High, Significant, Low, or Less-than-Low, please provide the potential hazard rating for each management unit"

NA

"Indicate who established the rating"

NA

"What the basis of the rating is"

NA

"What federal or state agency regulates the unit(s)"

No agency regulates the structural integrity of the 1A Ash Pond.

"If the unit(s) does not have a rating, please note that fact"

The 1A Ash Pond does not have a hazard rating.

Dave Johnston Power Station Response to Request No. 2

"What year was each management unit commissioned and expanded?"

The 1A Ash Pond was placed in service in 1959. There has been no expansion of 1A Ash Pond.

Dave Johnston Power Station Response to Request No. 3

“What materials are temporarily or permanently contained in the unit? Use the following categories to respond to this question: (1) fly ash; (2) bottom ash; (3) boiler slag; (4) flue gas emission control residuals; (5) other. If the management unit contains more than one type of material, please identify all that apply. Also, if you identify “other,” please specify the other types of materials that are temporarily or permanently contained in the unit(s).”

The following categories of materials have been placed in the 1A Ash Pond: fly ash; bottom ash; boiler slag; flue gas emission control residuals; other.

The “other” category of materials consists of boiler chemical clean rinse waste (tested and confirmed nonhazardous before discharged into pond).

Dave Johnston Power Station Response to Request No. 4

“Was the management unit(s) designed by a Professional Engineer?”

Yes

“Is or was the construction of the waste management unit(s) under the supervision of a Professional Engineer?”

PacifiCorp has been unable to locate documentation to make this assessment.

“Is inspection and monitoring of the safety of the waste management unit(s) under the supervision of a Professional Engineer?”

No

Dave Johnston Power Station Response to Request No. 5

“When did the company last assess or evaluate the safety (i.e., structural integrity) of the management unit(s)?”

The 1A Ash Pond was last inspected on March 2 & 3, 2009.

“Briefly describe the credentials of those conducting the structural integrity assessments/evaluations.”

Cornforth Consultants, Inc.; a geotechnical firm staffed with professional engineers and certified engineering geologists.

“Identify actions taken or planned by facility personnel as a result of these assessments or evaluations.”

The recent inspections will be evaluated as they are received, and actions, if any, will be based on the results.

“If corrective actions were taken, briefly describe the credentials of those performing the corrective actions, whether they were company employees or contractors.”

See response above.

“If the company plans an assessment or evaluation in the future, when is it expected to occur?”

The need for further assessments or evaluations and their frequencies will be based on the results of the recently completed inspections.

Dave Johnston Power Station Response to Request No. 6

“When did a State or a Federal regulatory official last inspect or evaluate the safety (structural integrity) of the management unit(s)?”

PacifiCorp has no record of any state or federal inspections.

“If you are aware of a planned state or federal inspection or evaluation in the future, when is it expected to occur?”

PacifiCorp is not aware of any planned state or federal inspections at this time.

“Please identify the Federal or State regulatory agency or department which conducted or is planning the inspection or evaluation.”

See response above.

“Please provide a copy of the most recent official inspection report or evaluation”

NA

Dave Johnston Power Station Response to Request No. 7

“Have assessments or evaluations, or inspections conducted by State or Federal regulatory officials conducted within the past year uncovered a safety issue(s) with the management unit(s)?”

NA

“If so, describe the actions that have been or are being taken to deal with the issue or issues”

NA

“Please provide any documentation that you have for these actions.”

NA

Dave Johnston Power Station Response to Request No. 8

“What is the surface area (acres) and total storage capacity of each of the management units?”

The 1A Ash Pond Surface Area is 12.9 acres.

The 1A Ash Pond Storage Capacity is 114.8 acre feet.

“What is the volume of material currently stored in each of the management unit(s)?”

The volume of material currently stored in 1A Ash Pond is approximately 57.4 acre-feet.

“Please provide the date that the volume measurement(s) was taken.”

Exact measurements were not taken. An estimate was made on March 17, 2009.

“Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.”

This is a subsurface pond so no maximum height is provided.

Dave Johnston Power Station Response to Request No. 9

“Please provide a brief history of known spills or unpermitted releases from the unit within the last ten years, whether or not these were reported to State or federal regulatory agencies. For purposes of this question, please include only releases to surface water or to the land (do not include releases to groundwater).”

No known spills or unpermitted releases have occurred in connection with the 1A Ash Pond in the last ten years.

Dave Johnston Power Station Response to Request No. 10

“Please identify all current legal owner(s) and operator(s) at the facility.”

The current legal owner of the Dave Johnston Power Station is PacifiCorp. The current operator of the Dave Johnston Power Station is PacifiCorp.

Response To Enclosure A For 1A Clear Pond

The term "1A Clear Pond" as used in this response means a single pond which receives water from the 1A Ash Pond or the 1B Clear Pond. EPA's Enclosure A requests are reproduced below in italics and separated within request numbers for ease of response. The responses below are offered without waiving any of the objections noted herein and in the cover letter.

Dave Johnston Power Station Response to Request No. 1

"Relative to the National Inventory of Dams criteria for High, Significant, Low, or Less-than-Low, please provide the potential hazard rating for each management unit"

NA

"Indicate who established the rating"

NA

"What the basis of the rating is"

NA

"What federal or state agency regulates the unit(s)"

No agency regulates the structural integrity of the 1A Clear Pond.

"If the unit(s) does not have a rating, please note that fact"

The 1A Clear Pond does not have a hazard rating.

Dave Johnston Power Station Response to Request No. 2

"What year was each management unit commissioned and expanded?"

The 1A Clear Pond was commissioned in 1959. There has been no expansion of the 1A Clear Pond.

Dave Johnston Power Station Response to Request No. 3

“What materials are temporarily or permanently contained in the unit? Use the following categories to respond to this question: (1) fly ash; (2) bottom ash; (3) boiler slag; (4) flue gas emission control residuals; (5) other. If the management unit contains more than one type of material, please identify all that apply. Also, if you identify “other,” please specify the other types of materials that are temporarily or permanently contained in the unit(s).”

The following categories of materials have been placed in the 1A Clear Pond: fly ash; bottom ash; boiler slag; flue gas emission control residuals; other.

The “other” category of materials consists of boiler chemical clean rinse waste (tested and confirmed nonhazardous before discharged into pond).

Dave Johnston Power Station Response to Request No. 4:

“Was the management unit(s) designed by a Professional Engineer?”

Yes

“Is or was the construction of the waste management unit(s) under the supervision of a Professional Engineer?”

PacifiCorp has been unable to locate documentation to make this assessment.

“Is inspection and monitoring of the safety of the waste management unit(s) under the supervision of a Professional Engineer?”

No

Dave Johnston Power Station Response to Request No. 5

“When did the company last assess or evaluate the safety (i.e., structural integrity) of the management unit(s)?”

The 1A Clear Pond was last inspected on March 2 & 3, 2009.

“Briefly describe the credentials of those conducting the structural integrity assessments/evaluations.”

Cornforth Consultants, Inc.; a geotechnical firm staffed with professional engineers and certified engineering geologists.

“Identify actions taken or planned by facility personnel as a result of these assessments or evaluations.”

The recent inspections will be evaluated as they are received, and actions, if any, will be based on the results.

“If corrective actions were taken, briefly describe the credentials of those performing the corrective actions, whether they were company employees or contractors.”

See response above.

“If the company plans an assessment or evaluation in the future, when is it expected to occur?”

The need for further assessments or evaluations and their frequencies will be based on the results of the recently completed inspections.

Dave Johnston Power Station Response to Request No. 6

“When did a State or a Federal regulatory official last inspect or evaluate the safety (structural integrity) of the management unit(s)?”

PacifiCorp has no record of any state or federal inspections.

“If you are aware of a planned state or federal inspection or evaluation in the future, when is it expected to occur?”

PacifiCorp is not aware of any planned state or federal inspections at this time.

“Please identify the Federal or State regulatory agency or department which conducted or is planning the inspection or evaluation.”

See response above.

“Please provide a copy of the most recent official inspection report or evaluation”

NA

Dave Johnston Power Station Response to Request No. 7

“Have assessments or evaluations, or inspections conducted by State or Federal regulatory officials conducted within the past year uncovered a safety issue(s) with the management unit(s)?”

NA

“If so, describe the actions that have been or are being taken to deal with the issue or issues”

NA

“Please provide any documentation that you have for these actions.”

NA

Dave Johnston Power Station Response to Request No. 8

“What is the surface area (acres) and total storage capacity of each of the management units?”

The 1A Clear Pond surface area is 1.6 acres.

1A Clear Pond storage capacity is 16.1 acre-feet.

“What is the volume of material currently stored in each of the management unit(s)?”

The volume of material currently stored in 1A Clear Pond is approximately 1.6 acre-feet.

“Please provide the date that the volume measurement(s) was taken.”

Exact measurements were not taken. An estimate was made on March 17, 2009.

“Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.”

This is a subsurface pond so no maximum height is provided.

Dave Johnston Power Station Response to Request No. 9

“Please provide a brief history of known spills or unpermitted releases from the unit within the last ten years, whether or not these were reported to State or federal regulatory agencies. For purposes of this question, please include only releases to surface water or to the land (do not include releases to groundwater).”

No known spills or unpermitted releases have occurred in connection with the 1A Clear Pond in the last ten years.

Dave Johnston Power Station Response to Request No. 10

“Please identify all current legal owner(s) and operator(s) at the facility.”

The current legal owner of the Dave Johnston Power Station is PacifiCorp. The current operator of the Dave Johnston Power Station is PacifiCorp.

Response To Enclosure A For 1B Ash Pond

The term "1B Ash Pond" as used in this response means a single pond that historically received bottom ash from the plant. The pond currently receives wastewater from the plant. The water from the pond drains to 1B Clear Pond or 1A Ash Pond. EPA's Enclosure A requests are reproduced below in italics and separated within request numbers for ease of response. The responses below are offered without waiving any of the objections noted herein and in the cover letter.

Dave Johnston Power Station Response to Request No. 1

"Relative to the National Inventory of Dams criteria for High, Significant, Low, or Less-than-Low, please provide the potential hazard rating for each management unit"

NA

"Indicate who established the rating"

NA

"What the basis of the rating is"

NA

"What federal or state agency regulates the unit(s)"

No agency regulates the structural integrity of the 1B Ash Pond.

"If the unit(s) does not have a rating, please note that fact"

The 1B Ash Pond does not have a hazard rating.

Dave Johnston Power Station Response to Request No. 2

"What year was each management unit commissioned and expanded?"

The 1B Ash Pond was commissioned in 1959. There has been no expansion of the 1B Ash Pond.

Dave Johnston Power Station Response to Request No. 3

“What materials are temporarily or permanently contained in the unit? Use the following categories to respond to this question: (1) fly ash; (2) bottom ash; (3) boiler slag; (4) flue gas emission control residuals; (5) other. If the management unit contains more than one type of material, please identify all that apply. Also, if you identify "other," please specify the other types of materials that are temporarily or permanently contained in the unit(s).”

The following category of materials have been placed in the 1B As Pond: fly ash; bottom ash; boiler slag; flue gas emission control residuals; other.

The “other” category of materials consists of boiler chemical clean rinse waste (tested and confirmed nonhazardous before discharged into pond).

Dave Johnston Power Station Response to Request No. 4

“Was the management unit(s) designed by a Professional Engineer?”

Yes

“Is or was the construction of the waste management unit(s) under the supervision of a Professional Engineer?”

PacifiCorp has been unable to locate documentation to make this assessment.

“Is inspection and monitoring of the safety of the waste management unit(s) under the supervision of a Professional Engineer?”

No

Dave Johnston Power Station Response to Request No. 5

“When did the company last assess or evaluate the safety (i.e., structural integrity) of the management unit(s)?”

The 1B Ash Pond was last inspected on March 2 & 3, 2009.

“Briefly describe the credentials of those conducting the structural integrity assessments/evaluations.”

Cornforth Consultants, Inc., a geotechnical firm staffed with professional engineers and certified engineering geologists, is conducting the evaluations.

“Identify actions taken or planned by facility personnel as a result of these assessments or evaluations.”

The recent inspections will be evaluated as they are received, and actions, if any, will be based on the results.

“If corrective actions were taken, briefly describe the credentials of those performing the corrective actions, whether they were company employees or contractors.”

See response above.

“If the company plans an assessment or evaluation in the future, when is it expected to occur?”

The need for further assessments or evaluations and their frequencies will be based on the results of the recently completed inspections.

Dave Johnston Power Station Response to Request No. 6

“When did a State or a Federal regulatory official last inspect or evaluate the safety (structural integrity) of the management unit(s)?”

PacifiCorp has no record of any state or federal inspections.

“If you are aware of a planned state or federal inspection or evaluation in the future, when is it expected to occur?”

PacifiCorp is not aware of any planned state or federal inspections at this time.

“Please identify the Federal or State regulatory agency or department which conducted or is planning the inspection or evaluation.”

See response above.

“Please provide a copy of the most recent official inspection report or evaluation”

NA

Dave Johnston Power Station Response to Request No. 7

“Have assessments or evaluations, or inspections conducted by State or Federal regulatory officials conducted within the past year uncovered a safety issue(s) with the management unit(s)?”

NA

“If so, describe the actions that have been or are being taken to deal with the issue or issues”

NA

“Please provide any documentation that you have for these actions.”

NA

Dave Johnston Power Station Response to Request No. 8

“What is the surface area (acres) and total storage capacity of each of the management units?”

The 1B Ash Pond Surface Area is 12.5 acres.

The 1B Ash Pond Storage Capacity is 112.4 acre-feet.

“What is the volume of material currently stored in each of the management unit(s)?”

The volume of material currently stored in 1B Ash Pond is approximately 56.2 acre-feet.

“Please provide the date that the volume measurement(s) was taken.”

Exact measurements were not taken. An estimate was made on March 17, 2009.

“Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.”

This is a subsurface pond so now maximum height is provided.

Dave Johnston Power Station Response to Request No. 9

“Please provide a brief history of known spills or unpermitted releases from the unit within the last ten years, whether or not these were reported to State or federal regulatory agencies. For purposes of this question, please include only releases to surface water or to the land (do not include releases to groundwater).”

No known spills or unpermitted releases have occurred in the last ten years.

Dave Johnston Power Station Response to Request No. 10

“Please identify all current legal owner(s) and operator(s) at the facility.

The current legal owner of the Dave Johnston Power Station is PacifiCorp. The current operator of the Dave Johnston Power Station is PacifiCorp.

Response To Enclosure A For 1B Clear Pond

The term "1B Clear Pond" as used in this response means a single pond which receives water from the 1B Ash Pond or 1A Clear Pond. EPA's Enclosure A requests are reproduced below in italics and separated within request numbers for ease of response. The responses below are offered without waiving any of the objections noted herein and in the cover letter.

Dave Johnston Power Station Response to Request No. 1

"Relative to the National Inventory of Dams criteria for High, Significant, Low, or Less-than-Low, please provide the potential hazard rating for each management unit"

NA

"Indicate who established the rating"

NA

"What the basis of the rating is"

NA

"What federal or state agency regulates the unit(s)"

No agency regulates the structural integrity of the 1B Clear Pond.

"If the unit(s) does not have a rating, please note that fact"

The 1B Clear Pond does not have a hazard rating.

Dave Johnston Power Station Response to Request No. 2

"What year was each management unit commissioned and expanded?"

The 1B Clear Pond was commissioned in 1959. There has been no expansion of the 1B Clear Pond.

Dave Johnston Power Station Response to Request No. 3

“What materials are temporarily or permanently contained in the unit? Use the following categories to respond to this question: (1) fly ash; (2) bottom ash; (3) boiler slag; (4) flue gas emission control residuals; (5) other. If the management unit contains more than one type of material, please identify all that apply. Also, if you identify "other," please specify the other types of materials that are temporarily or permanently contained in the unit(s).”

The following category of materials have been placed in the 1B Clear Pond: fly ash; bottom ash; boiler slag; flue gas emission control residuals; other.

The “other” category of materials consists of boiler chemical clean rinse waste (tested and confirmed nonhazardous before discharged into pond).

Dave Johnston Power Station Response to Request No. 4

“Was the management unit(s) designed by a Professional Engineer?”

Yes

“Is or was the construction of the waste management unit(s) under the supervision of a Professional Engineer?”

PacifiCorp has been unable to locate documentation to make this assessment.

“Is inspection and monitoring of the safety of the waste management unit(s) under the supervision of a Professional Engineer?”

No

Dave Johnston Power Station Response to Request No. 5

“When did the company last assess or evaluate the safety (i.e., structural integrity) of the management unit(s)?”

The 1B Clear Pond was last inspected on March 2 & 3, 2009.

“Briefly describe the credentials of those conducting the structural integrity assessments/evaluations.”

Cornforth Consultants, Inc., a geotechnical firm staffed with professional engineers and certified engineering geologists, is conducting the evaluations.

“Identify actions taken or planned by facility personnel as a result of these assessments or evaluations.”

The recent inspections will be evaluated as they are received, and actions, if any, will be based on the results.

“If corrective actions were taken, briefly describe the credentials of those performing the corrective actions, whether they were company employees or contractors.”

See response above.

“If the company plans an assessment or evaluation in the future, when is it expected to occur?”

The need for further assessments or evaluations and their frequencies will be based on the results of the recently completed inspections.

Dave Johnston Power Station Response to Request No. 6

“When did a State or a Federal regulatory official last inspect or evaluate the safety (structural integrity) of the management unit(s)?”

PacifiCorp has no record of any state or federal inspections.

“If you are aware of a planned state or federal inspection or evaluation in the future, when is it expected to occur?”

PacifiCorp is not aware of any planned state or federal inspections at this time.

“Please identify the Federal or State regulatory agency or department which conducted or is planning the inspection or evaluation.”

See response above.

“Please provide a copy of the most recent official inspection report or evaluation”

NA

Dave Johnston Power Station Response to Request No. 7

“Have assessments or evaluations, or inspections conducted by State or Federal regulatory officials conducted within the past year uncovered a safety issue(s) with the management unit(s)?”

NA

“If so, describe the actions that have been or are being taken to deal with the issue or issues”

NA

“Please provide any documentation that you have for these actions.”

NA

Dave Johnston Power Station Response to Request No. 8

“What is the surface area (acres) and total storage capacity of each of the management units?”

The 1B Clear Pond surface area is 2.0 acres.

The 1B Clear Pond storage capacity is 19.7 acre-feet.

“What is the volume of material currently stored in each of the management unit(s)?”

The volume of material currently stored in 1B Clear Pond is approximately 2.0 acre-feet.

“Please provide the date that the volume measurement(s) was taken.”

Exact measurements were not taken. An estimate was made on March 17, 2009.

“Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.”

This is a subsurface pond so no maximum height is provided.

Dave Johnston Power Station Response to Request No. 9

“Please provide a brief history of known spills or unpermitted releases from the unit within the last ten years, whether or not these were reported to State or federal regulatory agencies. For purposes of this question, please include only releases to surface water or to the land (do not include releases to groundwater).”

No known spills or unpermitted releases have occurred in the last ten years.

Dave Johnston Power Station Response to Request No. 10

“Please identify all current legal owner(s) and operator(s) at the facility.”

The current legal owner of the Dave Johnston Power Station is PacifiCorp. The current operator of the Dave Johnston Power Station is PacifiCorp.

Response To Enclosure A For 4 Clear Pond

The term "4 Clear Pond" as used in this response means a single pond which receives water from the 4A and the 4B Ash Ponds. EPA's Enclosure A requests are reproduced below in italics and separated within request numbers for ease of response. The responses below are offered without waiving any of the objections noted herein and in the cover letter.

Dave Johnston Power Station Response to Request No. 1

"Relative to the National Inventory of Dams criteria for High, Significant, Low, or Less-than-Low, please provide the potential hazard rating for each management unit"

NA

"Indicate who established the rating"

NA

"What the basis of the rating is"

NA

"What federal or state agency regulates the unit(s)"

No agency regulates the structural integrity of the 4 Clear Pond.

"If the unit(s) does not have a rating, please note that fact"

The 4 Clear Pond does not have a hazard rating.

Dave Johnston Power Station Response to Request No. 2

"What year was each management unit commissioned and expanded?"

The 4 Clear Pond was commissioned in 1972.

Dave Johnston Power Station Response to Request No. 3

“What materials are temporarily or permanently contained in the unit? Use the following categories to respond to this question: (1) fly ash; (2) bottom ash; (3) boiler slag; (4) flue gas emission control residuals; (5) other. If the management unit contains more than one type of material, please identify all that apply. Also, if you identify "other," please specify the other types of materials that are temporarily or permanently contained in the unit(s).”

The following categories of materials have been placed in the 4 Clear Pond: fly ash, bottom ash, boiler slag, flue gas emission control residuals.

The “other” category of materials consists of boiler chemical clean rinse waste (tested and confirmed nonhazardous before discharged into pond).

Dave Johnston Power Station Response to Request No. 4

“Was the management unit(s) designed by a Professional Engineer?”

Yes

“Is or was the construction of the waste management unit(s) under the supervision of a Professional Engineer?”

PacifiCorp has been unable to locate documentation to make this assessment.

“Is inspection and monitoring of the safety of the waste management unit(s) under the supervision of a Professional Engineer?”

No

Dave Johnston Power Station Response to Request No. 5

“When did the company last assess or evaluate the safety (i.e., structural integrity) of the management unit(s)?”

The 4 Clear Pond was last inspected on March 2 & 3, 2009.

“Briefly describe the credentials of those conducting the structural integrity assessments/evaluations.”

Cornforth Consultants, Inc., a geotechnical firm staffed with professional engineers and certified engineering geologists, is conducting the evaluations.

“Identify actions taken or planned by facility personnel as a result of these assessments or evaluations.”

A repair of the north bank is planned for March/April 2009.

“If corrective actions were taken, briefly describe the credentials of those performing the corrective actions, whether they were company employees or contractors.”

NA

“If the company plans an assessment or evaluation in the future, when is it expected to occur?”

The need for further assessments or evaluations and their frequencies will be based on the results of the recently completed inspections.

Dave Johnston Power Station Response to Request No. 6

“When did a State or a Federal regulatory official last inspect or evaluate the safety (structural integrity) of the management unit(s)?”

PacifiCorp has no record of any state or federal inspections.

“If you are aware of a planned state or federal inspection or evaluation in the future, when is it expected to occur?”

PacifiCorp is not aware of any planned state or federal inspections at this time.

“Please identify the Federal or State regulatory agency or department which conducted or is planning the inspection or evaluation.”

See response above.

“Please provide a copy of the most recent official inspection report or evaluation”

NA

Dave Johnston Power Station Response to Request No. 7

“Have assessments or evaluations, or inspections conducted by State or Federal regulatory officials conducted within the past year uncovered a safety issue(s) with the management unit(s)?”

NA

“If so, describe the actions that have been or are being taken to deal with the issue or issues”

NA

“Please provide any documentation that you have for these actions.”

NA

Dave Johnston Power Station Response to Request No. 8

“What is the surface area (acres) and total storage capacity of each of the management units?”

The 4 Clear Pond surface area is 6.4 acres.

The 4 Clear Pond storage capacity is 45.9 acre feet.

“What is the volume of material currently stored in each of the management unit(s)?”

The volume of material currently stored in 4 Clear Pond is approximately 15.3 acre-feet.

“Please provide the date that the volume measurement(s) was taken.”

Exact measurements were not taken. An estimate was made on March 17, 2009.

“Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.”

The 4 Clear Pond is a three sided unit with 67% sub-surface and 33% contained with a dam. The maximum height of the dam is 12'6".

Dave Johnston Power Station Response to Request No. 9

“Please provide a brief history of known spills or unpermitted releases from the unit within the last ten years, whether or not these were reported to State or federal regulatory agencies. For purposes of this question, please include only releases to surface water or to the land (do not include releases to groundwater).”

No known spills or unpermitted releases have occurred in the last ten years.

Dave Johnston Power Station Response to Request No. 10

Please identify all current legal owner(s) and operator(s) at the facility.”

The current legal owner of the Dave Johnston Power Station is PacifiCorp. The current operator of the Dave Johnston Power Station is PacifiCorp.

Response To Enclosure A For 4A Ash Pond

The term "4A Ash Pond" as used in this response means a single pond that receives bottom ash from Units 1, 2, and 3 and also scrubber solution from Unit 4. The water from the pond drains to 4 Clear Pond. EPA's Enclosure A requests are reproduced below in italics and separated within request numbers for ease of response. The responses below are offered without waiving any of the objections noted herein and in the cover letter.

Dave Johnston Power Station Response to Request No. 1

"Relative to the National Inventory of Dams criteria for High, Significant, Low, or Less-than-Low, please provide the potential hazard rating for each management unit"

NA

"Indicate who established the rating"

NA

"What the basis of the rating is"

NA

"What federal or state agency regulates the unit(s)"

No agency regulates the structural integrity of the 4A Ash Pond.

"If the unit(s) does not have a rating, please note that fact"

The 4A Ash Pond does not have a hazard rating.

Dave Johnston Power Station Response to Request No. 2

"What year was each management unit commissioned and expanded?"

The 4A Ash Pond was commissioned in 1972.

Dave Johnston Power Station Response to Request No. 3

“What materials are temporarily or permanently contained in the unit? Use the following categories to respond to this question: (1) fly ash; (2) bottom ash; (3) boiler slag; (4) flue gas emission control residuals; (5) other. If the management unit contains more than one type of material, please identify all that apply. Also, if you identify "other," please specify the other types of materials that are temporarily or permanently contained in the unit(s).”

The following categories of materials have been placed in the 4A Ash Pond: fly ash, bottom ash, boiler slag, flue gas emission control residuals.

The “other” category of materials consists of boiler chemical clean rinse waste (tested and confirmed nonhazardous before discharged into pond).

Dave Johnston Power Station Response to Request No. 4

“Was the management unit(s) designed by a Professional Engineer?”

Yes

“Is or was the construction of the waste management unit(s) under the supervision of a Professional Engineer?”

PacifiCorp has been unable to locate documentation to make this assessment.

“Is inspection and monitoring of the safety of the waste management unit(s) under the supervision of a Professional Engineer?”

No

Dave Johnston Power Station Response to Request No. 5

“When did the company last assess or evaluate the safety (i.e., structural integrity) of the management unit(s)?”

The 4A Ash Pond was last inspected on March 2 & 3, 2009.

“Briefly describe the credentials of those conducting the structural integrity assessments/evaluations.”

Cornforth Consultants, Inc., a geotechnical firm staffed with professional engineers and certified engineering geologists, is conducting the evaluations.

“Identify actions taken or planned by facility personnel as a result of these assessments or evaluations.”

The recent inspections will be evaluated as they are received, and actions, if any, will be based on the results.

“If corrective actions were taken, briefly describe the credentials of those performing the corrective actions, whether they were company employees or contractors.”

See response above.

“If the company plans an assessment or evaluation in the future, when is it expected to occur?”

The need for further assessments or evaluations and their frequencies will be based on the results of the recently completed inspections.

Dave Johnston Power Station Response to Request No. 6

“When did a State or a Federal regulatory official last inspect or evaluate the safety (structural integrity) of the management unit(s)?”

PacifiCorp has no record of any state or federal inspections.

“If you are aware of a planned state or federal inspection or evaluation in the future, when is it expected to occur?”

PacifiCorp is not aware of any planned state or federal inspections at this time.

“Please identify the Federal or State regulatory agency or department which conducted or is planning the inspection or evaluation.”

See response above.

“Please provide a copy of the most recent official inspection report or evaluation”

NA

Dave Johnston Power Station Response to Request No. 7

“Have assessments or evaluations, or inspections conducted by State or Federal regulatory officials conducted within the past year uncovered a safety issue(s) with the management unit(s)?”

NA

“If so, describe the actions that have been or are being taken to deal with the issue or issues”

NA

“Please provide any documentation that you have for these actions.”

NA

Dave Johnston Power Station Response to Request No. 8

“What is the surface area (acres) and total storage capacity of each of the management units?”

The 4A Ash Pond surface area is 19.5 acres.

The 4A Ash Pond storage capacity is 144.6 acre-feet.

“What is the volume of material currently stored in each of the management unit(s)?”

The volume of material currently stored in 4A Ash Pond is approximately 137.7 acre-feet.

“Please provide the date that the volume measurement(s) was taken.”

Exact measurements were not taken. An estimate was made on March 17, 2009.

“Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.”

Maximum Height of 4A Ash Pond: 52% of this unit is sub-surface and 48% is contained with a dam. Maximum height of dam is 12'6”.

Dave Johnston Power Station Response to Request No. 9

“Please provide a brief history of known spills or unpermitted releases from the unit within the last ten years, whether or not these were reported to State or federal regulatory agencies. For purposes of this question, please include only releases to surface water or to the land (do not include releases to groundwater).”

No known spills or unpermitted releases have occurred in the last ten years.

Dave Johnston Power Station Response to Request No. 10

“Please identify all current legal owner(s) and operator(s) at the facility.”

The current legal owner of the Dave Johnston Power Station is PacifiCorp Energy. The current operator of the Dave Johnston Power Station is PacifiCorp.

Response To Enclosure A For 4B Ash Pond

The term "4B Ash Pond" as used in this response means a single pond that receives bottom ash from Units 1, 2, and 3 and also scrubber solution from Unit 4. The water from the pond drains to 4 Clear Pond. EPA's Enclosure A requests are reproduced below in italics and separated within request numbers for ease of response. The responses below are offered without waiving any of the objections noted herein and in the cover letter.

Dave Johnston Power Station Response to Request No. 1

"Relative to the National Inventory of Dams criteria for High, Significant, Low, or Less-than-Low, please provide the potential hazard rating for each management unit"

NA

"Indicate who established the rating"

NA

"What the basis of the rating is"

NA

"What federal or state agency regulates the unit(s)"

No agency regulates the structural integrity of the 4B Ash Pond.

"If the unit(s) does not have a rating, please note that fact"

The 4B Ash Pond does not have a hazard rating.

Dave Johnston Power Station Response to Request No. 2

"What year was each management unit commissioned and expanded?"

The 4B Ash Pond was commissioned in 1972.

Dave Johnston Power Station Response to Request No. 3

“What materials are temporarily or permanently contained in the unit? Use the following categories to respond to this question: (1) fly ash; (2) bottom ash; (3) boiler slag; (4) flue gas emission control residuals; (5) other. If the management unit contains more than one type of material, please identify all that apply. Also, if you identify "other," please specify the other types of materials that are temporarily or permanently contained in the unit(s).”

The following categories of materials have been placed in the 4B Ash Pond: fly ash, bottom ash, boiler slag, flue gas emission control residuals.

The “other” category of materials consists of boiler chemical clean rinse waste (tested and confirmed nonhazardous before discharged into pond).

Dave Johnston Power Station Response to Request No. 4

“Was the management unit(s) designed by a Professional Engineer?”

Yes

“Is or was the construction of the waste management unit(s) under the supervision of a Professional Engineer?”

PacifiCorp has been unable to locate documentation to make this assessment.

“Is inspection and monitoring of the safety of the waste management unit(s) under the supervision of a Professional Engineer?”

No

Dave Johnston Power Station Response to Request No. 5

“When did the company last assess or evaluate the safety (i.e., structural integrity) of the management unit(s)?”

The 4B Ash Pond was last inspected on March 2 & 3, 2009.

“Briefly describe the credentials of those conducting the structural integrity assessments/evaluations.”

Cornforth Consultants, Inc., a geotechnical firm staffed with professional engineers and certified engineering geologists, is conducting the evaluations.

“Identify actions taken or planned by facility personnel as a result of these assessments or evaluations.”

The recent inspections will be evaluated as they are received, and actions, if any, will be based on the results.

“If corrective actions were taken, briefly describe the credentials of those performing the corrective actions, whether they were company employees or contractors.”

See response above.

“If the company plans an assessment or evaluation in the future, when is it expected to occur?”

The need for further assessments or evaluations and their frequencies will be based on the results of the recently completed inspections.

Dave Johnston Power Station Response to Request No. 6

“When did a State or a Federal regulatory official last inspect or evaluate the safety (structural integrity) of the management unit(s)?”

PacifiCorp has no record of any state or federal inspections.

“If you are aware of a planned state or federal inspection or evaluation in the future, when is it expected to occur?”

PacifiCorp is not aware of any planned state or federal inspections at this time.

“Please identify the Federal or State regulatory agency or department which conducted or is planning the inspection or evaluation.”

See response above.

“Please provide a copy of the most recent official inspection report or evaluation”

NA

Dave Johnston Power Station Response to Request No. 7

“Have assessments or evaluations, or inspections conducted by State or Federal regulatory officials conducted within the past year uncovered a safety issue(s) with the management unit(s)?”

NA

“If so, describe the actions that have been or are being taken to deal with the issue or issues”

NA

“Please provide any documentation that you have for these actions.”

NA

Dave Johnston Power Station Response to Request No. 8

“What is the surface area (acres) and total storage capacity of each of the management units?”

The 4B Ash Pond surface area is 19.5 acres.

The 4B Ash Pond storage capacity is 144.6 acre-feet.

“What is the volume of material currently stored in each of the management unit(s)?”

The volume of material currently stored in 4B Ash Pond is approximately 14.5 acre-feet.

“Please provide the date that the volume measurement(s) was taken.”

Exact measurements were not taken. An estimate was made on March 17, 2009.

“Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.”

The maximum height of 4B Ash Pond: 60% of this unit is sub-surface and 40% is contained with a dam. Maximum height of dam is 12'6".

Dave Johnston Power Station Response to Request No. 9

“Please provide a brief history of known spills or unpermitted releases from the unit within the last ten years, whether or not these were reported to State or federal regulatory agencies. For purposes of this question, please include only releases to surface water or to the land (do not include releases to groundwater).”

No known spills or unpermitted releases have occurred in the last ten years.

Dave Johnston Power Station Response to Request No. 10

“Please identify all current legal owner(s) and operator(s) at the facility.”

The current legal owner of the Dave Johnston Power Station is PacifiCorp. The current operator of the Dave Johnston Power Station is PacifiCorp.

Response To Enclosure A For Blowdown Canal

The term "Blowdown Canal" as used in this response means a canal that receives overflow from the 4 Clear Pond. The water from the canal flows to 1B Ash Pond or to 1B Clear Pond. EPA's Enclosure A requests are reproduced below in italics and separated within request numbers for ease of response. The responses below are offered without waiving any of the objections noted herein and in the cover letter.

Dave Johnston Power Station Response to Request No. 1

"Relative to the National Inventory of Dams criteria for High, Significant, Low, or Less-than-Low, please provide the potential hazard rating for each management unit"

NA

"Indicate who established the rating"

NA

"What the basis of the rating is"

NA

"What federal or state agency regulates the unit(s)"

No agency regulates the structural integrity of the Blowdown Canal.

"If the unit(s) does not have a rating, please note that fact"

The Blowdown Canal does not have a hazard rating.

Dave Johnston Power Station Response to Request No. 2

"What year was each management unit commissioned and expanded?"

The Blowdown Canal was commissioned in 1972.

Dave Johnston Power Station Response to Request No. 3

“What materials are temporarily or permanently contained in the unit? Use the following categories to respond to this question: (1) fly ash; (2) bottom ash; (3) boiler slag; (4) flue gas emission control residuals; (5) other. If the management unit contains more than one type of material, please identify all that apply. Also, if you identify “other,” please specify the other types of materials that are temporarily or permanently contained in the unit(s).”

The following categories of materials have been placed in the Blowdown Canal: fly ash, bottom ash, boiler slag, flue gas emission control residuals.

The “other” category of materials consists of boiler chemical clean rinse waste (tested and confirmed nonhazardous before discharged into pond).

Dave Johnston Power Station Response to Request No. 4

“Was the management unit(s) designed by a Professional Engineer?”

Yes

“Is or was the construction of the waste management unit(s) under the supervision of a Professional Engineer?”

PacifiCorp has been unable to locate documentation to make this assessment.

“Is inspection and monitoring of the safety of the waste management unit(s) under the supervision of a Professional Engineer?”

No

Dave Johnston Power Station Response to Request No. 5

“When did the company last assess or evaluate the safety (i.e., structural integrity) of the management unit(s)?”

The Blowdown Canal was last inspected on March 2 & 3, 2009.

“Briefly describe the credentials of those conducting the structural integrity assessments/evaluations.”

Cornforth Consultants, Inc., a geotechnical firm staffed with professional engineers and certified engineering geologists, is conducting the evaluations.

“Identify actions taken or planned by facility personnel as a result of these assessments or evaluations.”

The recent inspections will be evaluated as they are received, and actions, if any, will be based on the results.

“If corrective actions were taken, briefly describe the credentials of those performing the corrective actions, whether they were company employees or contractors.”

See response above.

“If the company plans an assessment or evaluation in the future, when is it expected to occur?”

The need for further assessments or evaluations and their frequencies will be based on the results of the recently completed inspections.

Dave Johnston Power Station Response to Request No. 6

“When did a State or a Federal regulatory official last inspect or evaluate the safety (structural integrity) of the management unit(s)?”

PacifiCorp has no record of any state or federal inspections.

“If you are aware of a planned state or federal inspection or evaluation in the future, when is it expected to occur?”

PacifiCorp is not aware of any planned state or federal inspections at this time.

“Please identify the Federal or State regulatory agency or department which conducted or is planning the inspection or evaluation.”

See response above.

“Please provide a copy of the most recent official inspection report or evaluation”

NA

Dave Johnston Power Station Response to Request No. 7

“Have assessments or evaluations, or inspections conducted by State or Federal regulatory officials conducted within the past year uncovered a safety issue(s) with the management unit(s)?”

NA

“If so, describe the actions that have been or are being taken to deal with the issue or issues”

NA

“Please provide any documentation that you have for these actions.”

NA

Dave Johnston Power Station Response to Request No. 8

“What is the surface area (acres) and total storage capacity of each of the management units?”

The Blowdown Canal surface area is 0.5 acres.

The Blowdown Canal Storage Capacity is 3.3 acre feet.

“What is the volume of material currently stored in each of the management unit(s)?”

The volume of material currently stored in the Blowdown Canal is approximately 1.0 acre feet.

“Please provide the date that the volume measurement(s) was taken.”

Exact measurements were not taken. An estimate was made on March 17, 2009.

“Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.”

The Blowdown Canal is a subsurface canal so no maximum height is provided.

Dave Johnston Power Station Response to Request No. 9

“Please provide a brief history of known spills or unpermitted releases from the unit within the last ten years, whether or not these were reported to State or federal regulatory agencies. For purposes of this question, please include only releases to surface water or to the land (do not include releases to groundwater).”

On January 9, 2009, 14,400 gallons of process water overflowed the capacity of the Blowdown Canal and bypassed the outfall. Operating procedures were put into place to prevent a reoccurrence. The Wyoming Department of Environmental Quality was notified of the circumstance.

Dave Johnston Power Station Response to Request No. 10

“Please identify all current legal owner(s) and operator(s) at the facility.”

The current legal owner of the Dave Johnston Power Station is PacifiCorp. The current operator of the Dave Johnston Power Station is PacifiCorp.

Objections To Enclosure A

Dave Johnston Power Station Objections to the Introductory Paragraph of Enclosure A: PacifiCorp objects to the general request for information contained in the introductory paragraph of Enclosure A, including the information “requested below,” on the grounds that the request is outside the scope of EPA’s authority as contained in Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9604(e). Moreover, PacifiCorp objects to this general request because it contains undefined and ambiguous terms such as “surface impoundment” “similar diked or bermed management unit(s),” “landfills,” “liquid-borne material,” “storage or disposal,” “no longer receive,” “coal combustion residues,” “residuals or byproducts,” “residues or by-products” and “free liquids” and because some of these terms seem to be used interchangeably within the introductory paragraph and in other requests without an explanation of whether they are intended to have the same meaning.

Dave Johnston Power Station Objections to Request No. 1: PacifiCorp objects to Request No. 1 because it contains undefined and ambiguous terms such as “management unit” and “unit(s)” and because some of these terms seem to be used interchangeably within this request and in other requests without an explanation of whether they are intended to have the same meaning.

Dave Johnston Power Station Objections to Request No. 2: PacifiCorp objects to Request No. 2 because it contains undefined and ambiguous terms such as “management unit,” “unit(s),” “commissioned” and “expanded” and because some of these terms seem to be used interchangeably within this request and in other requests without an explanation of whether they are intended to have the same meaning.

Dave Johnston Power Station Objections to Request No. 3: PacifiCorp objects to Request No. 3 because it contains undefined and ambiguous terms such as “temporarily,” “permanently,” “management unit(s)” and “unit(s)” and because some of these terms seem to be used interchangeably within this request and in other requests without an explanation of whether they are intended to have the same meaning.

Dave Johnston Power Station Objections to Request No. 4: PacifiCorp objects to Request No. 4 because it contains undefined and ambiguous terms such as “management unit(s),” “designed,” “construction,” “waste management unit(s),” “inspection,” and “monitoring” and because some of these terms seem to be used interchangeably within this request and in other requests without an explanation of whether they are intended to have the same meaning.

Dave Johnston Power Station Objections to Request No. 5: PacifiCorp objects to Request No. 5 because it contains undefined and ambiguous terms such as “safety,” “structural integrity,” “management unit(s),” “assessments,” “evaluations,” “actions,” “corrective actions,” and because some of these terms seem to be used interchangeably within this request and in other requests without an explanation of whether they are intended to have the same meaning.

Dave Johnston Power Station Objections to Request No. 6: PacifiCorp objects to Request No. 6 because it contains undefined and ambiguous terms such as “official,” “safety,” “structural integrity,” “management unit(s),” “inspection,” “evaluation,” “actions,” “official inspection report,” and because some of these terms seem to be used interchangeably within this request and in other requests without an explanation of whether they are intended to have the same meaning.

Dave Johnston Power Station Objections to Request No. 7: PacifiCorp objects to Request No. 7 because it contains undefined and ambiguous terms such as “assessments,” “evaluations,” “inspections,” “officials,” “safety issue(s),” “management unit(s),” “actions,” and “deal with” and because some of these terms seem to be used interchangeably within this request and in other requests without an explanation of whether they are intended to have the same meaning.

Dave Johnston Power Station Objections to Request No. 8: PacifiCorp objects to Request No. 8 because it contains undefined and ambiguous terms such as “surface area (acres),” “total storage capacity,” “management units,” “volume,” “material,” “stored,” “volume measurements,” and “maximum height” and because some of these terms seem to be used interchangeably within this request and in other requests without an explanation of whether they are intended to have the same meaning.

Dave Johnston Power Station Objections to Request No. 9: PacifiCorp objects to Request No. 9 because it contains undefined and ambiguous terms such as “known spills,” “unpermitted releases,” “unit,” “surface water,” “land,” and “groundwater” and because some of these terms seem to be used interchangeably within this request and in other requests without an explanation of whether they are intended to have the same meaning.