



Via Certified Mail 7008 2810 0000 0830 9185

March 25, 2009

Mr. Richard Kinch  
US Environmental Protection Agency (5306P)  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

RE: CERCLA 104(e) Request for Information  
Walter C. Beckjord Generating Station  
757 U.S. Route 52  
New Richmond, Ohio 45157

Dear Mr. Kinch,

Duke Energy Ohio, Inc. (DEO) hereby responds to the request for information the EPA submitted to the Walter C. Beckjord Generating Station, letter dated March 9, 2009, under Section 104(e) of CERCLA, 42 USC § 9604(e), relating to surface impoundments or similar diked/bermed management units which receive liquid-borne material for storage or disposal of residuals or by-products from the combustion of coal. DEO received this request on March 13, 2009, and today's response complies with the 10-business day deadline.

The attached responses are full and complete and were developed under my supervision with assistance from Duke Energy's Engineering and Technical Services group. The following clarifications should be noted for the attached responses.

- The responses in this submittal are for surface impoundments and the associated secondary / clarifying ponds used for temporary or permanent storage of flyash, bottom ash, boiler slag, and flue gas emission control residues at this station (hereinafter "coal combustion by-products").
  - These ponds are also an integral part of the station's wastewater treatment system used to manage wastewater before discharge.
- The response to the questions does not include ponds that are retired / closed and which no longer contain free liquids.
- The response to questions does not include landfill runoff collection ponds or any other miscellaneous ponds / impoundments that are not designed to or do not regularly receive and store coal combustion by-products.
- Where actual measurements could not be collected within the timeframe allotted by EPA, DEO has provided estimates, which are noted as such.
- The criteria that DEO used to identify any spills or unpermitted releases over the last 10 years in the response to Question #9 include the failure of physical pond or impoundment structures (i.e. berms, dikes, and discharge structures); the criteria do not include exceedances of the NPDES discharge limits that have already been reported in the discharge monitoring report.

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 gathering 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 today's submittal please contact Richard Meiers at our corporate offices at 317-838-1955.

Sincerely,  
Duke Energy Ohio, Inc.



Phillip C. Grigsby  
Senior Vice President Midwest Generation Portfolio

Attachments (3)

Responses to Enclosure A  
Inspection Reports  
Confidential Business Information

cc Jim W. Cumbow  
Walter C. Beckjord Generating Station  
General Manager II Non Reg Fossil Station  
Andrew Roebel  
EHS Professional III  
Richard J. Meiers  
Principal Environmental Scientist

# Attachment # 1

## Response to Questions in Enclosure A Walter C. Beckjord Generating Station

March 24, 2009

1. Relative to the National Inventory of Dams criteria for High, Significant, Low, or Less than Low Hazard Potential, please provide the rating for each management unit and indicate which State or federal regulatory agency assigned that rating. If the unit does not have a rating, please note that fact.

The Ohio Department of Natural Resources has classified the Beckjord Station ash pond dikes; Ash Pond B - Moderate: II, Ash Pond C - Moderate: II, and Ash Pond C extension - Moderate: II.

2. What year was each management unit commissioned and expanded?

Ash Pond B in 1963      Ash Pond C in 1966      Ash Pond C extension in 1985

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).

| Management Unit | Ash Pond B  | Ash Pond C  | Ash Pond C extension |
|-----------------|-------------|-------------|----------------------|
| Contents        | 1, 2, 3, 5* | 1, 2, 3, 5* | 1                    |

\* "Other" includes landfill leachate, water treatment, boiler blow down, cooling tower blowdown, boiler chemical cleaning waste, coal pile runoff, fire protection, stormwater runoff, mill rejects, floor and laboratory drains, and drains from equipment cleaning.

4. Do you have a Professional Engineer's certification for the safety (structural integrity) of the management unit(s)? Please provide a copy if you have one. If you do not have such a certification, do you have other documentation attesting to the safety (structural integrity) of the management unit(s)? If so, please provide a copy of such documentation.

The safety (structural integrity) was certified through the design documents when the management units were designed and constructed. The Engineering firms responsible for the designs were D'Appolonia and Sargent and Lundy Engineers for Ash Pond A and Ash Pond B respectively. Copies of the design documents may be available from our drawing

archives. Due to the expediency of the requested reply, DEO is not submitting these documents as part of our response; however, we can research our archival information should there be a future need to submit original design documentation.

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

All management units listed in the response to Question #2 were inspected in April 2008.

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

Project engineers from the Ohio Department of Natural Resources, Division of Water, Dam Safety Engineering Program conducted the inspection.

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

See the attached inspection reports (3), one for each pond listed in the response to Question #2; these reports can be found in Attachment #2.

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

Corrective actions are performed by qualified contractors or station personnel. Duke Energy's Generation Engineering Department provides engineering oversight, review, and documentation of maintenance done and repairs made.

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

The next internal inspection is scheduled for second quarter of 2009.

6. When did a State or a Federal regulatory official last inspect or evaluate the safety (structural integrity) of the management unit(s)? If you are aware of a planned state or federal inspection or evaluation in the future, when is it expected to occur? Please identify the Federal or State regulatory agency or department which conducted or is planning the inspection or evaluation.

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

Project engineers from the Ohio Department of Natural Resources, Division of Water, Dam Safety Engineering Program conducted the last inspection on April 23, 2008. A copy of the individual ash pond inspection reports (3) that DEO received from the ODNR inspection can be found in Attachment #2.

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), and, if so, describe the actions that have been or are being taken to deal with the issue or issues.

Please provide any documentation that you have for these actions.

In the attached ODNR Beckjord ash pond inspection reports, the state lists several surficial and maintenance items for the ponds. Duke Energy Generation Engineering has received proposals from BBC&M, a Geotechnical Engineering firm, to address all identified issues in compliance with the ODNR requirements. The contracts will be issued and executed.

8. What is the surface area (acres) and total storage capacity of each of the management units? What is the volume of material currently stored in each of the management unit(s). Please provide the date that the volume measurement was taken.

The response to this question contains Confidential Business Information, which is of a competitive and commercial nature, pursuant to 40 C.F.R. Part 2. Our response is therefore provided in a separate attachment (Attachment 3), which has been labeled "CBI." DEO requests that EPA treat the information in Attachment 3 as CBI and safeguard it from inadvertent disclosure and contact DEO if EPA receives a request for this CBI.

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).

DEO reported to the Ohio EPA on April 26, 1999 a significant drop in pond water elevation on Pond C during a two day period of operation. Underwater divers identified the problem as holes below the control point in the vertical section of the overflow pipe. Some ash escaped into Little Indian Creek exceeding TSS limits before corrective measures could be completed. There were no other spills or unpermitted releases from the three ash ponds listed in the response from Question #2 within the last ten years.

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

Current legal owner for Ash Pond B is Duke Energy Ohio, Inc.

Current legal owners for Ash Pond C and Ash Pond C Extension are Duke Energy Ohio, Inc., American Electric Power, and Dayton Power & Light.

Current legal operator of the entire Beckjord Generating Station is Duke Energy Ohio, Inc.

## **Attachment #3**

### **CBI**

This attachment contains Confidential Business Information, which is of a competitive and commercial nature, pursuant to 40 C.F.R. Part 2. DEO requests that EPA treat the information in Attachment 3 as CBI and safeguard it from inadvertent disclosure and contact DEO if EPA receives a request for this CBI.

## **Walter C. Beckjord Generating Station**

### **Response to Question # 8**

#### **Ash Pond B**

- 16 acres in total surface area with 280 acre/feet of total storage volume
- Total volume of solids in the pond is 115 acre / feet; the station estimated in March 2009 that the pond was approximately 40% full .

#### **Ash Pond C**

- 62 acres in total surface area with 1400 acre/feet of total storage volume
- The volume of solids in the pond is 980 acre feet; the station estimated in March 2009 that the pond was approximately 70% full

#### **Ash Pond C Extension**

- 55 acres in total surface area with 1300 acre/feet of total storage volume
- The volume of solids in the pond is 650 acre feet; the station estimated in March 2009 that the pond was approximately 50% full