



Via Certified Mail 7008 2810 0000 0830 9178

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  
Cayuga Generating Station  
3300 North State Road Route 63  
Cayuga Indiana 47928

Dear Mr. Kinch,

Duke Energy Indiana, Inc. (DEI) hereby responds to the request for information the EPA submitted to the Cayuga 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. DEI received this request on March 14, 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, DEI has provided estimations, which are noted as such.
- The criteria that DEI 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 not 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 Indiana, Inc.



Barry E. Pulskamp  
Senior Vice President Regulated Fleet Operations

Attachments (3)

Responses to Enclosure A  
Inspection Report  
Confidential Business Information

cc John Frazier  
Cayuga Generating Station  
General Manager II Regulated Fossil Fleet  
Tom Knapke  
Sr. EHS Professional  
Richard J. Meiers  
Principal Environmental Scientist

# Attachment # 1

## Response to Questions in Enclosure A

### Cayuga 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.

Duke Energy Indiana (DEI) is not aware that any National Inventory of Dams criteria rating that has been assigned by a State or Federal Agency for the management units at the Cayuga Generating Station.

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

Lined Ash Disposal Pond – Cell #1 was commissioned in 2008.

Ash Disposal Area #1 was commissioned in 1970.

Primary Ash Settling Basin was commissioned in 1970.

Secondary Ash Settling Basin was commissioned in 1970.

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	Lined Ash Disposal Pond Cell #1	Ash Disposal Area #1	Primary and Secondary Ash Settling Basins
Contents	1, 2, 3	1,2,3,5*	5*

\* “Other” includes landfill leachate, water treatment, boiler blow down, coal pile runoff, stormwater runoff, fire protection, 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 Cayuga Generating Station management units were designed and constructed. The Engineering firm responsible for the design was Sargent and Lundy Engineers. Copies of the design documents may be available from our drawing archives. Due to the expediency of the requested reply, DEI 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 last inspected in January, 2009.

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

The employee conducting the inspection works at the Cayuga Generating Station is a Senior Civil Engineer, a licensed PE and land surveyor.

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

See attached inspection report (Attachment 2).

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

See attached Inspection report (Attachment 2).

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

December, 2009 to January, 2010.

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.

The Cayuga Station has not had State or Federal regulatory officials performing ash pond dike inspections in the last five years. DEI is not aware of any federal or state agency inspection reports. The state regulatory agency governing dams would be the Indiana Department of Natural Resources (IDNR).

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.

DEI is not aware of any State or Federal regulatory officials conducting assessments, evaluations or inspections at the Cayuga Generating Station within the past year.

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." DEI requests that EPA treat the information in Attachment 3 as CBI and safeguard it from inadvertent disclosure and contact DEI 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).

There have been no spills or unpermitted releases from any of the management units listed in response #2 over the past ten years.

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

Duke Energy Indiana, Inc. is the legal owner and operator at the facility.

## **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. DEI requests that EPA treat the information in Attachment 3 as CBI and safeguard it from inadvertent disclosure and contact DEI if EPA receives a request for this CBI.

### **Cayuga Generating Station Response to Question # 8**

Lined Ash Disposal Pond – Cell #1 was commissioned in 2008.

- 40 acres in total surface area with 1,400 acre/feet of total storage volume
- The station estimated in December 2008 that the pond was approximately 5% full

Ash Disposal Area #1 was commissioned in 1970.

- 26 acres in total surface area with 260 acre/feet of total storage volume
- The station estimated in December 2008 that the pond was approximately 89% full

Primary Ash Settling Basin was commissioned in 1970.

- 15 acres in total surface area with 225 acre/feet of total storage volume
- There is only a small amount of residual solids in pond

Secondary Ash Settling Basin was commissioned in 1970.

- 3 acres in total surface area with 36 acre/feet of total storage volume
- There is only a small amount of residual solids in pond