

Supplemental Verbal Request for Information on FPP's Reclaim Pond

Jennifer Thompson

to:

Craig Dufficy

03/19/2010 12:05 PM

Cc:

Rus Lueders, Ken Taylor, Ken Launius, Patti Hershey, Joe Bentley, Beckie Loeve, Jay Janca, Anne Tierce, Ricky Kirkland

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Dear Mr. Dufficy:

This email is in response to the telephone call I received from you on March 9, 2010, requesting additional information from the Lower Colorado River Authority's Fayette Power Project (FPP). You indicated that you were making a follow-up information request specific to the FPP Reclaim Pond. LCRA responded by letter dated March 24, 2009, to EPA's initial information request relating to surface impoundments that are used for storage or disposal of residuals or by-products from the combustion of coal.

The ten (10) questions from the original information request are listed below along with responses specific to the Reclaim Pond.

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 and indicate who established the rating, what the basis of the rating is, and what federal or state agency regulates the unit(s). If the unit(s) does not have a rating, please note that fact.

Response: The reclaim pond is a management unit at the Fayette Power Project (FPP) regulated under FPP's water quality permit, Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ00020105 (TX0073121) issued by the Texas Commission on Environmental Quality (TCEQ) on June 12, 2009. In addition, the reclaim pond is registered under TCEQ Solid Waste Registration No. 31575 as a management unit (Management Unit 009) in accordance with TCEQ's nonhazardous industrial solid waste rules. 30 T.A.C. § 335.6.

The reclaim pond at FPP is not part of the National Inventory of Dams and does not have a hazard ranking. Moreover, the reclaim pond at FPP is exempt from TCEQ's dam safety rules found at 30 T.A.C. Chapter 299. TCEQ's dam safety rules provide a specific exemption for "off-channel impoundments authorized by the commission under TWC, Chapter 26." 30 T.A.C. § 299.1(c)(4). This exemption applies to FPP's reclaim pond, which is permitted by TPDES Permit No. WQ00020105 pursuant to Chapter 26 of the Texas Water Code.

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

Response: The reclaim pond was commissioned in 1988. It has never been expanded.

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).

Response: Materials temporarily or permanently stored in the reclaim pond are listed in the following table.

Fine particulate (fly ash) that is suspended in water transferred from the coal ash pond.
Flue Gas Emission Control Residuals:
<ul style="list-style-type: none"> • Fluidized gas desulfurization by-product • Sludge from cleaning of reaction tank • Sludge, reclaim pond settlement
Other:
<ul style="list-style-type: none"> • Wastewater from various plant processes, e.g. sewage effluent, cleaning liquids, lab waste water, waste water sumps, and other plant processes

4. Was the management unit(s) under the supervision of a Professional Engineer? Is inspection and monitoring of the safety of the waste management unit(s) under the supervision of a Professional Engineer?

Response: The reclaim pond design and construction was certified by a Professional Engineer prior to commissioning. The reclaim pond has been under the supervision of Professional Engineer indirectly or during discrete periods, e.g. Unit 1&2 Scrubber Project, but not consistently during its operating life.

5. When did the company last assess or evaluate the safety (i.e., structural integrity) of the management unit(s)? Briefly describe the credentials of those conducting the structural integrity assessments/evaluations. Identify actions taken or planned by facility personnel as a result of these assessments or evaluations. If corrective actions were taken, briefly describe the credentials of those performing the corrective actions, whether they were company employees or contractors. If the company plans an assessment or evaluation in the future, when is it expected to occur?

Response: The reclaim pond has not had a structural integrity assessment or evaluation performed since it was commissioned.

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.

Response: There has not been a state or federal regulatory inspection or evaluation of the structural integrity of this management unit since commissioning. At this time we are not aware of any planned state or federal inspection.

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.

Response: No.

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

volume of materials currently stored in each of the management unit(s)? Please provide the date that the volume measurement(s) was taken. Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this enclosure.

Response: The requested information is provided in the following table:

Surface Area	30.02 acres
Total Storage Capacity	968,645 cubic yards
Current Volume of Materials Stored	292,658 cubic yards
Date of Volume Measurements	July 2008
Maximum Height	45 feet at an elevation of 370 feet above mean sea level

The maximum height of the management unit was calculated from a July 2008 aerial topographical map utilizing the top of the embankment to the lowest point east of the management unit.

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).

Response: There have been no spills nor unpermitted releases from the reclaim pond within the last ten years.

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

Response: The requested information is provided in the following table.

Current Legal Owners

Lower Colorado River Authority
Sam Seymour - Fayette Power Project
6549 Power Plant Road
La Grange, Texas 78945

Austin Energy
721 Barton Springs Road
Austin, Texas 78704

Current Legal Operator

Lower Colorado River Authority
Sam Seymour - Fayette Power Project
6549 Power Plant Road
La Grange, Texas 78945

Please let me know if you require any additional information.

Jennifer Thompson
Plant Manager
Fayette Power Project
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