

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

July 26, 2011

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

VIA E-MAIL

Mr. Allen S. Rudeck, Vice President MP Generation  
Minnesota Power  
30 West Superior Street  
Duluth, Minnesota 55802-2093

Dear Mr. Rudeck,

On September 23 and 24, 2010 the United States Environmental Protection Agency ("EPA") and its engineering contractors conducted a coal combustion residual (CCR) site assessment at the Syl Laskin Power Station facility. The purpose of this visit was to assess the structural stability of the impoundments or other similar management units that contain "wet" handled CCRs. We thank you and your staff for your cooperation during the site visit. Subsequent to the site visit, EPA sent you a copy of the draft report evaluating the structural stability of the units at the Syl Laskin Power Station facility and requested that you submit comments on the factual accuracy of the draft report to EPA. Your comments were considered in the preparation of the final report.

The final report for the Syl Laskin Power Station facility is enclosed. This report includes a specific condition rating for each CCR management unit and recommendations and actions that our engineering contractors believe should be undertaken to ensure the stability of the CCR impoundment(s) located at the Syl Laskin Power Station facility. These recommendations are listed in Enclosure 2.

Since these recommendations relate to actions which could affect the structural stability of the CCR management units and, therefore, protection of human health and the environment, EPA believes their implementation should receive the highest priority. Therefore, we request that you inform us on how you intend to address each of the recommendations found in the final report. Your response should include specific plans and schedules for implementing each of the recommendations. If you will not implement a recommendation, please provide a rationale. Please provide a response to this request by August 23, 2011. Please send your response to:

Mr. Stephen Hoffman  
U.S. Environmental Protection Agency (5304P)  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

If you are using overnight or hand delivery mail, please use the following address:

Mr. Stephen Hoffman  
U.S. Environmental Protection Agency  
Two Potomac Yard  
2733 S. Crystal Drive  
5<sup>th</sup> Floor, N-5838  
Arlington, VA 22202-2733

You may also provide a response by e-mail to [hoffman.stephen@epa.gov](mailto:hoffman.stephen@epa.gov)

You may assert a business confidentiality claim covering all or part of the information requested, in the manner described by 40 C. F. R. Part 2, Subpart B. Information covered by such a claim will be disclosed by EPA only to the extent and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when EPA receives it, the information may be made available to the public by EPA without further notice to you. If you wish EPA to treat any of your response as "confidential" you must so advise EPA when you submit your response.

EPA will be closely monitoring your progress in implementing the recommendations from these reports and could decide to take additional action if the circumstances warrant.

You should be aware that EPA will be posting the report for this facility on the Agency website shortly.

Given that the site visit related solely to structural stability of the management units, this report and its conclusions in no way relate to compliance with RCRA, CWA, or any other environmental law and are not intended to convey any position related to statutory or regulatory compliance.

Please be advised that providing false, fictitious, or fraudulent statements of representation may subject you to criminal penalties under 18 U.S.C. § 1001.

If you have any questions concerning this matter, please contact Mr. Hoffman in the Office of Resource Conservation and Recovery at (703) 308-8413. Thank you for your continued efforts to ensure protection of human health and the environment.

Sincerely,  
/Suzanne Rudzinski/, Director  
Office of Resource Conservation and Recovery

Enclosures

## Enclosure 2

**Syl Laskin Power Station Recommendations (from the final assessment report)****3.1 Assessments**

In general, the overall condition of Cell E Impoundment was judged to be **SATISFACTORY**. The Cell E impoundment was found to have the following deficiencies:

1. Minor erosion along the down slope toe of the east embankment;
2. Minor potholes along the crest gravel access road; and,
3. Presence of trees at the down slope toe of the northwest corner of the embankment.

In general, if the Cells A-D Impoundment were rated as an active impoundment, the overall condition of would be judged to be **FAIR**. The impoundment was found to have the following deficiencies of an active impoundment:

1. Presence of trees on the upstream embankment and top of impoundment;
2. Potholes and rutting of the crest access road; and,
3. No maintenance or emergency action plan for the Cells A-D Impoundment.

The following recommendations and remedial measures generally describe the recommended approach to address current deficiencies at the impoundments. Prior to undertaking recommended maintenance, repairs, or remedial measures, the applicability of environmental permits needs to be determined for activities that may occur within resource areas under the jurisdiction of the appropriate regulatory agencies.

**3.2 Studies and Analyses**

GZA recommends that LEC evaluate the structural and seepage stability and flowability of the ash contained within the Cells A-D Impoundment.

**3.3 Recurrent Operation & Maintenance Recommendations**

GZA recommends the following operation and maintenance level activities:

1. Increased mowing of the grasses on the embankments to facilitate daily inspections and reduce the risk of burrowing animals;
2. Repair the potholes present in the gravel crest access road. Grade the road to provide better drainage and reduce future potholing;
3. Clear deep rooted vegetation from embankments and top of impoundments;
4. Document impoundment inspections conducted by facility personnel each shift; and,
5. Extend maintenance and emergency action plans to include the Cells A-D Impoundment.

**3.4 Repair Recommendations**

GZA recommends the following minor repairs which may improve the overall condition of the impoundment, but do not alter the current design. The recommendations may require design by a professional engineer and construction contractor experienced in impoundment construction.

1. Repair rutting present on the Cells A-D Impoundment crest access road.

**3.5 Alternatives**

There are no practical alternatives to the repairs itemized above.