

US EPA ARCHIVE DOCUMENT

NOTE

Subject: EPA Comments on Alliant Energy, WI Power & Light Co -Rock River
Generating, Beloit, WI
Round 10 Draft Assessment Report

To: File

Date: November 22, 2011

1. Please insert the pertinent figures and photos into the text so the reader is not moving to and from the text and the appendices. Keep the remainder of figures and photos in the appendices.
2. On page I, "Executive Summary," and again on page 6, Section 1.2.10 "Hazard Potential Classification," contractor assesses WPDES Pond 1, WPDES Pond 2, and the Final WPDES Pond as Low and the Slag Pond as Less-than-Low in terms of hazard potential classification. Given the proximity of the impoundments to the Rock River and apparent impact to the water body in the event of failure of any impoundment, it may be advantageous to elaborate the ratings in light of the short distance to the major surface water body.
3. On page 2, Section 1.2.2 "Owner/Caretaker," the "Emergency Phone" contact is listed as "911." This may not be sufficient for an emergency contact.
4. Although there appears to be a discussion in section 1.2 of the description of each unit and the materials in which each unit consists, it is requested that either in Appendix C- the checklist, or in section 1.2 there be a specific statement made to address the following question: "Is any part of the impoundment built over wet ash, slag, or other unsuitable materials (like TVA)?" Please correct for each impoundment.
5. Please do a global search and replace the terms "inspect" and "inspection" with "assess" and "assessment," respectively throughout the report.
6. The report indicates that no emergency action plan exists, please ensure that the recommendations section includes the development of an emergency action plan.

RE: Comment Request on Coal Ash Site Assessment Round 10 Draft Report - Alliant Energy Stations

Fauble, Philip N - DNR to Jana Englander, Jose Cisneros, Galloway, Meg M - DNR

Cc "Lynch, Edward K - DNR", "Coakley, Ann M - DNR"

Jana,

Thank you for offering WDNR the opportunity to comment on the Draft Assessment Reports. We have reviewed the reports included here and offer some fairly brief comments. What follows are comments from one of our Regional field staff assigned to several of the facilities mentioned in the assessments:

The only comments I have in regards to the Nelson Dewey and Rock River reports are similar to those comments I previously made for the Columbia Generating Station:

The Executive Summaries of both reports generally state that all of the impoundments found at these two facilities (six in total) were constructed for “the purpose of storing and disposing non-recyclable coal combustion waste...”

I don't agree with that characterization. Even if the original intent for these structures was long-term storage and disposal of CCW, they have not been used for such a purpose in decades. To the best of my knowledge, none of the WPDES ponds were ever intended for use as anything other than settling and clarification of facility discharge water, not for storage of CCW (not even temporary storage) and certainly not for disposal of CCW. And while the slag ponds at each facility could be considered to be used for the temporary storage of CCW, neither has been used for the permanent disposal of CCW, as that material is/was removed from those structures on a regular basis and either beneficially re-used or landfilled at a licensed solid waste facility. I find it curious that there is absolutely no mention in either report that CCW sluiced to the respective slag ponds was/is permanently removed from said structures on a regular basis. If it had not been, these structures would have been filled to capacity many years ago.

I agree with these comments and would like to extend them also to the Alliant Edgewater Facility in Sheboygan, WI. We disagree that any of these ponds are, in fact, used for the disposal of coal combustion byproducts. The larger of the ponds are being used in accordance with their WPDES Permits for the treatment of cooling and contact water from the plants prior to surface water discharge. All coal fly ash in Wisconsin has been handled in dry form since the mid-1980's. The smaller (1-2 acre) ponds where bottom ash is sluiced are not considered disposal areas by the WDNR. They are classified as solid waste (all CCW's are considered solid wastes under WI law) storage/treatment facilities. The bottom ash is sluiced wet to these areas and dewatered prior to their excavation for beneficial use projects. The CCW beneficial reuse rate in Wisconsin is between 85-90 percent, so utilities have little

need for extensive disposal facilities. What CCW disposal facilities we do have permitted are all approved for dry disposal only.

These comments are similar to our previous comments regarding these and other ponds at coal-fired utility plants in Wisconsin. Again, we maintain that the State of Wisconsin does not have any active wet slurry CCW disposal sites, nor have any existed for decades.

Thank you again for considering our comments. If you have any questions, please feel free to contact me.

 *Philip Fauble, P.G.*

Mining & Beneficial Reuse Program Coordinator
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August 13, 2012

**Via E-mail to: hoffman.stephen@epa.gov
and kohler.james@epa.gov**

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

**Re: Response to Draft Assessment Report
Rock River Generating Station**

Dear Mr. Hoffman:

This letter is sent on behalf of Wisconsin Power and Light Company's ("WPL") Rock River Generating Station in response to the United States Environmental Protection Agency's ("EPA") Draft Report Round 10 Dam Assessment – June 8, 2011 for the Rock River Generating Station, dated March 2012 ("Draft Report"). The site assessment was conducted by the EPA's contractor, GZA GeoEnvironmental, Inc. on June 8, 2011. EPA's cover email accompanying the Draft Report requests that comments be submitted within 30 days of receipt. EPA extended this date to August 13, 2012 for WPL. The email also provides for a business confidentiality claim covering all or part of the information submitted by WPL.

CONFIDENTIAL BUSINESS INFORMATION CLAIM

WPL is claiming business confidentiality for both the Draft and Final Reports associated with the site assessment of the coal combustion material management units at the Rock River Generating Station and for the comments submitted in this letter in their entirety, a claim which is being made in accordance with 40 C.F.R. Part 2, Subpart B.

Per the criteria established by 40 CFR. Part 2, Subpart B, §2.208, the documents for which confidential treatment is requested are entitled to confidential treatment because: (1) this claim is timely and has not been waived, (2) WPL has taken reasonable measures to protect the confidentiality of the information and intends to continue to take such measures, (3) the information is not reasonably obtainable

without WPL's consent by other persons by use of legitimate means, (4) no statute specifically requires disclosure of this information, and (5) the disclosure of the information is likely to cause substantial harm to WPL's competitive position.

All of the documents for which confidential treatment is requested help WPL maintain its competitive position. WPL protects the confidentiality of this information by making it available only to those within the company with a legitimate need to know the information for purposes of performing their jobs.

COMMENTS ON THE DRAFT ASSESSMENT REPORT

Listed below are the comments associated with the Draft Report for the WPL – Rock River Generating Station.

Italics indicate language in Draft Report. **Bold** indicates suggested language.

General Comment:

1. Remove all references to "*Alliant Energy*" and insert "**Wisconsin Power and Light Company ("WPL")**". This should include "*Alliant Energy*" references on Cover Page; Executive Summary (2 references in the first paragraph; 3 references in the second paragraph; 1 reference in paragraph 5); Table of Contents; Page 1 (Section 1.1.1); Page 2 (Table as part of Section 1.2.2 and Section 1.2.3); Page 3 (Section 1.2.4 and Section 1.2.5; Page 4 (Section 1.2.6); Page 5 (Section 1.2.7 and 1.2.8); Page 6 (Section 1.3.1); Page 7 (Section 1.3.4 and 1.3.5); Page 8 (Section 1.3.7); Appendix C (Inspection Checklist – Operator Name).

Executive Summary and Section 3.0:

1. WPL agrees with the language as written in The Executive Summary and Section 3.0 pertaining to GZA's professional opinion that "*the embankment(s) visually appear to be sound and no immediate remedial action appears to be necessary*". Further, WPL agrees with the statement "*However, based on EPA's inspection criteria, the impoundment has been assigned a **POOR** Condition Rating, because geotechnical computations were not provided...*". We understand it is EPA's inspection criteria to rate all impoundments without geotechnical studies "poor". While WPL could perform the geotechnical studies to satisfy this concern, WPL does not consider investments made to prepare the studies a useful spend of our rate payer's dollars at this time. This is because these ponds are required to be permanently closed in accordance with a schedule created by the Wisconsin Department of Natural Resources (WDNR) as a condition of the site's Wisconsin Pollutant Discharge Elimination System (WPDES) permit. In addition, coal combustion waste and plant low volume wastes are no longer discharged into the ash pond system and very little ash remains in the ponds, making the likelihood of a release very low. As a result, we do not believe that the "poor" condition rating is appropriate for these ponds. WPL is actively working

with our Consultant to achieve permanent closure of these ponds per the conditions and compliance schedule listed in WPDES Permit Number WI-0002402-05-0.

The Rock River site is unique in that coal has not been burned since 2000; the coal burning units (1&2) are retired; and based on the 2003 BT2 report titled "Ash Disposal Existing Conditions Evaluation", very little (<3 feet) of coal combustion wastes remain in all three WPDES Ponds. As the BT2 Report shows, most of the coal combustion wastes are located in the slag pond, which is a "combination/incised dike" pond and poses very little risk of being released offsite since a failure would be contained in the currently dry final WPDES Pond. The WPDES Ponds contain small amounts of water and very little coal combustion products. A complete failure of the WPDES embankments would not result in *"human loss or low economic loss and/or environmental losses"* based on their operational status since 2000.

Since we are currently working with the WDNR regarding permanent closure of these ponds, the facility does not believe it is necessary to perform most of the recommendations found in Section 3.0. Through our discussions with WDNR and looking at the report site photos (#33 and #34) it is very apparent these ponds have created a unique habitat for wildlife. As such, it is WPL's preference not to remove trees and other vegetation from the embankments unless required by the WDNR during the closure process. We will continue our internal inspections of the ponds and associated overflow structures for signs of failures and take any actions necessary to prevent a release.

Description of Coal Combustion Wastes in the Pond System:

1. In describing the coal combustion wastes stored in the WPDES Ponds and Slag ponds, fly ash is mentioned to be part of the wastes being stored. We agree that there might be residual fly ash in these ponds from past operations or how the treatment process was designed, but it should not be interpreted that when the facility was burning coal that fly ash was actively sluiced to all of these ponds. During coal operations, fly ash was sluiced to a series of fly ash ponds that were separate from the WPDES ponds. After the repowering of Units 1 & 2 to natural gas, WPL converted the fly ash ponds into the closed landfill that is referenced in this report.

Section 1.2.3 – Purpose of the Impoundments:

1. Page 2 – The Rock River Generating Station Complex continues to generate electricity from the three (3) combustion turbines located on the far northern portion of the property. The former coal/natural gas generating units (1&2) are retired. Please rewrite the first paragraph of this section as it appears in the draft that the combustion turbines are retired as well. Also, due to the location of the combustion turbines in relation to the impoundments, the operation of the combustion turbines do not result in process or surface water discharging into the impoundments.

Mr. Stephen Hoffman
August 13, 2012
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REQUEST FOR CONFERENCE CALL WITH GZA TO REVIEW COMMENTS

Finally, because of the technical complexity and factual detail contained in the Draft Report, WPL believes it would be efficient and helpful to conduct a conference call between WPL, EPA and GZA to review the details of these comments. WPL would be happy to coordinate the time and set up a call-in number. WPL specifically requests such a discussion take place prior to the preparation of a Final Report. WPL appreciates this opportunity to provide comments on the Draft Report for the Rock River Generating Station. If you have any technical questions, please contact William Skalitzky at (608) 458-3108. If you have any legal questions, please contact Jenna Wischmeyer at (319) 786-4843.

Very truly yours,


Joe Ell,
Plant Manager

cc: James Kohler - EPA
William Skalitzky - AECS
Jenna Wischmeyer - AECS
Linda Poe - AECS