

US EPA ARCHIVE DOCUMENT



The Service People

Dayton Power and Light Company

Killen Electric Generating Station

14869 US 52

Manchester, Ohio 45144

(937) 549-3911

Fax: (937) 549-3159

March 27, 2009

OVERNIGHT DELIVERY

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

RE: Request for Information Under Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9604(e)

Dear Mr. Kinch:

I am writing in response to your letter dated March 9, 2009 requesting information pursuant to Section 104(e) of CERCLA relative to management of coal combustion by-products at the Dayton Power and Light Company (DP&L) Killen Station. Enclosed with this letter is the response to information requested for Killen Station.

Your letter stated that U.S. EPA has requested the information pursuant to authority granted under certain provisions of CERCLA

which provides in relevant part that whenever the Agency has reason to believe that there may be a release or threat of a release of a pollutant or contaminant, they may require any person who has or may have information to furnish information or documents relating to the matter, including the identification, nature, and quantity of materials which have been or are generated, treated, stored or disposed at the facility and the nature or extent of a release or a threatened release.

DP&L feels strongly that none of the facilities it operates which are subject to the information request present the threat of release.

In addition, your letter indicated that the DP&L response include the following certification.

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.

By signing of this letter, I am providing such certification.

If you have any questions, please contact Mr. Mike High at (937) 549-3911.

Sincerely,

A handwritten signature in black ink that reads "Michael Harrell". The signature is written in a cursive style with a large, prominent "M" and "H".

Michael Harrell
Station Manager

Enclosure

Please provide the information requested below for each surface impoundment or similar diked or bermed management unit(s) or management units designated as landfills which receive liquid-borne material for the storage or disposal of residuals or by-products from the combustion of coal, including, but not limited to, fly ash, bottom ash, boiler slag, or flue gas emission control residuals. This includes units that no longer receive coal combustion residues or by-products, but still contain free liquids.

1. Relative to the National Inventory of Dams criteria for High, Significant, Low, or less than Low Hazard Potential, 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 does not have a rating, please note that fact.

The dam has a Class I rating based on the dam's height, storage capacity, and potential downstream hazard. This rating was established by the Ohio Department of Natural Resources.

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

Killen Station was commercial operational on June 30, 1982 and ponds have not 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).

(1)Fly ash, (2)Bottom Ash, (5) Other – cooling tower blow-down, flue gas desulfurization blow-down and miscellaneous plant waste water.

4. Was the management unit(s) designed by a Professional Engineer? **Yes**

Is or was the construction of the waste management unit(s) under the supervision of a Professional Engineer? **Yes**

Is inspection and monitoring of the safety of the waste management unit(s) under the supervision of a Professional Engineer? **Yes**

5. When did the company last assess or evaluate the safety (i.e., structural integrity) of the management unit(s)? **February, 2009.**

Briefly describe the credentials of those conducting the structural integrity assessments/evaluations. **See attachments for Maysville Surveying & Engineering and Civil & Environmental Consultants, Inc.**

Identify actions taken or planned by facility personnel as a result of the assessments or evaluations. **As of February, 2009 the report from Maysville Surveying & Engineering did not indicate any actions. The report from Civil & Environmental Consultants, Inc. has not been received and if any actions are identified, we will evaluate/respond to them as needed to correct any problems.**

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? **To be determined pending receipt of Civil & Environmental Consultants report.**

6. When did a State or a Federal regulatory official last inspect or evaluate the safety (structural integrity) of the management unit(s)?

April 7, 2008.

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.

No planned date has been set as of 3-16-09. The inspection was conducted by the Ohio Department of Natural Resources and a copy of the report is enclosed.

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

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.

No safety issues were identified by ODNR as a result of their April 7, 2008 inspection.

Please provide any documentation that you have for these actions. **Not applicable.**

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

Fly Ash Pond is 191 Acres with total storage capacity of 21,566,007 tons.

Bottom Ash Pond is 39 Acres with total storage capacity of 3,729,321 tons.

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 estimated stored material in the Fly Ash Pond as of 12-31-2008 was 4, 144,298 tons.

The estimated stored material in the Bottom Ash Pond as of 12-31-2008 was 1,036,074 tons.

Please provide the maximum height of the management unit(s). **The height of dike is 38.6 ft.**

9. Please provide a brief history of known spills or unpermitted releases from the unit within the last 10 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).

None

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

Dayton Power & Light Company (Owner/Operating Company)

Cincinnati Gas & Electric Company (Owner)