

US EPA ARCHIVE DOCUMENT



Via Certified Mail 7008 2810 0000 0830 9208

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  
Miami Fort Generating Station  
11021 Brower Road  
North Bend, Ohio 45052

Dear Mr. Kinch,

Duke Energy Ohio, Inc. (DEO) hereby responds to the request for information the EPA submitted to the Miami Fort 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. DEO received this request on March 13, 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, DEO has provided estimates, which are noted as such.
- The criteria that DEO 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 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 Ohio, Inc.



Phillip C. Grigsby  
Senior Vice President Midwest Generation Portfolio

Attachments (3)

Responses to Enclosure A  
Inspection Reports  
Confidential Business Information

cc Ben G. Ruggiero  
Miami Fort Generating Station  
General Manager II Non Reg Fossil Station  
Ralph L. Wood Jr.  
EHS Professional III  
Richard J. Meiers  
Principal Environmental Scientist

# Attachment # 1

## Response to Questions in Enclosure A

### Miami Fort 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.

The Ohio Department of Natural Resources has classified the ash pond dikes; Ash Pond A - Moderate: II and Ash Pond B - Moderate: II.

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

Ash Pond A was commissioned in 1976 and Ash Pond B was commissioned in 1981.

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	Ash Pond A	Ash Pond B
Contents	1, 2, 3, 4, 5*	1, 2, 3, 4, 5*

\* "Other" includes water treatment, boiler blow down, cooling tower blowdown, boiler chemical cleaning waste, coal pile runoff, fire protection, stormwater runoff, 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 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, DEO 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 inspected in February, 2009 by the Ohio Department of Natural Resources (ODNR).

All management units listed in the response to Question #2 were inspected In November, 2008 H. C. Nutting, a third-party geotechnical engineering firm.

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

The February 2009 inspection was conducted by project engineers from the ODNR, Division of Water; Dam Safety Engineering Program conducted the inspection.

The November 2008 inspection was conducted by 2 civil engineers both are licensed professional engineers and one also is a C.P.G.

DEO personnel who participated in both inspections includes a civil engineer who is a P.E., a Principal Environmental Scientist, and an EHS III Professional.

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

See the attached the internal inspection checklist completed by DEO personnel during the ODNR inspection and the inspection reports from the November, 2008 third-party inspection for the two ash ponds listed in the response to question #2; these reports can be found in Attachment #2. All identified action items were completed except for one, which will be done as scheduled.

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

Corrective actions are performed by qualified contractors or station personnel. Duke Energy's Generation Engineering Department provides engineering oversight, review, and documentation of maintenance done and repairs made.

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

The next internal inspection is scheduled for second quarter of 2009.

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.

Project engineers from the Ohio Department of Natural Resources, Division of Water, Dam Safety Engineering Program conducted their last inspection on February 9, 2009. Copies of the ODNR reports of the ash pond inspection conducted in February have not yet been received by DEO.

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.

No, from the preliminary findings of the ODNR inspection at both Ash Pond A and Ash Pond B, DEO is not aware of any safety issues identified.

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 DEO 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 known spills or unpermitted releases from the ash ponds listed in the response to Question #2 in the last ten years.

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

Current legal owner for both Ash Pond A and B is Duke Energy Ohio, Inc., Duke Energy Kentucky Inc. and Dayton Power and Light.

Current legal operator of the Miami Fort Generating Station is Duke Energy Ohio, Inc.

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

## **Miami Fort Generating Station**

### **Response to Question # 8**

#### Ash Pond A

- 32 acres in total surface area with 803 acre / feet of storage volume
- The station estimated in February 2009 that the pond was approximately 50% full

#### Ash Pond B

- 21 acres in total surface area with 515 acre/feet of total storage volume
- The station estimated in February 2009 that the pond was approximately 2% full