DUKE ENERGY CORPORATION
WP994 / 1000 East Main Street
Plainfield, IN 46168-1782

VIA Certified Mail 7008 1830 0000 4301 5475

January 28, 2010

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

RE: CERCLA 104(e) Request for Information
W. H. Zimmer Generating Station
1781 US Route 52
Moscow, Ohio 45153

Dear Mr. Kinch:

Duke Energy Ohio, Inc. (DEO) hereby responds to the above referenced request for information submitted to Mr. Joseph Miller at the W. H. Zimmer Generating Station, 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 December 31, 2009, and today's response complies with the 20 business day deadline.

This response was developed under my direction with assistance from Duke Energy's Engineering and Environmental Health and Safety groups. The following clarifications should be noted.

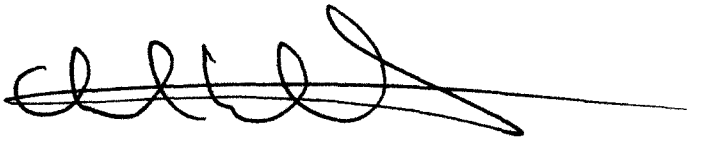
- This response does not include information relative to landfill runoff collection ponds or any other miscellaneous ponds / impoundments that are not designed to or do not receive and store flyash, bottom ash, boiler slag, and flue gas emission control residues at the station (hereinafter "coal combustion by-products").
- Where actual measurements could not be collected within the timeframe allotted by EPA, DEO has provided estimations, 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 were previously reported in discharge monitoring reports.

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.



Charles Whitlock
Senior Vice President Midwest Non - Reg Gen Ops

Attachments (2)

Responses to Enclosure A
ODNR Dam Safety Inspection Report

cc Joseph A. Miller Jr.
W. H. Zimmer Generating Station
General Manager II Non Reg Fossil Station
Tom Patt
EHS Professional III
Richard J. Meiers
Principal Environmental Scientist

Attachment # 1

Response to Questions in Enclosure A

W. H. Zimmer Generating Station

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.***

No federal or state agency has rated the Zimmer Wastewater Pond using the National Inventory of Dams criteria. The Ohio Department of Natural Resources (ODNR) regulates the unit. ODNR has classified the W.H. Zimmer Station Wastewater Pond dike as a "Class II, Moderate" utilizing state rating criteria.

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

The Wastewater Pond was commissioned in 1989.

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).***

All coal combustion byproducts at the W.H. Zimmer Station are disposed of dry into a permitted landfill or are marketed into commerce for beneficial application. Specifically, dry flyash is collected in electrostatic precipitators and is temporarily stored in silos until it is either marketed into commerce or disposed of into an Ohio Environmental Protection Agency (OEPA) permitted landfill. Bottom ash and boiler slag are hydraulically transported to bins, dewatered, and then disposed of dry into an OEPA permitted landfill. FGD solids (gypsum) are dewatered and stored on a stacker pad until they are moved into commerce or disposed of dry into an OEPA permitted landfill.

The Zimmer Wastewater Pond does not receive any primary waste streams containing liquid-borne flyash, bottom ash, boiler slag, or flue gas emission control residuals for storage or disposal. However, this Pond receives deminimis amounts of coal combustion

byproduct wastewater treatment residual solids along with wastewater streams from water treatment, boiler blow down, boiler chemical cleaning, storm water runoff, floor and laboratory drains, and drains from equipment cleaning.

4. ***Was the management unit(s) designed by a Professional Engineer? Is or was the construction of the waste management units(s) under the supervision of a Professional Engineer? Is the inspection and monitoring of the safety of the waste management unit(s) under the supervision of a Professional Engineer?***

The Wastewater Pond was designed by a Professional Engineer. The engineering firm responsible for the design was American Electric Power Service Corporation. The inspection and monitoring of the safety of the Wastewater Pond is conducted under the supervision of a Professional Engineer. In the time allotted, we have not been able to confirm that the Wastewater Pond was constructed under the supervision of a Professional Engineer.

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?***

On site Duke Energy personnel perform periodic walk downs (typically weekly) of the Wastewater Pond to evaluate the condition of the dam. The most recent third party inspection Wastewater Pond was performed in June 2009 by BBC&M Engineering Inc (BBC&M). The site inspection was performed by licensed Professional Engineers. The inspection identified only minor maintenance items. All recommended corrective actions identified in the inspection are complete. Corrective actions were performed by on-site and contract personnel experienced in wastewater treatment pond maintenance under the supervision of licensed professional engineers employed by Duke Energy and BBC&M. The next scheduled inspection by an independent third party engineering firm will occur in the second or third quarter of 2010.

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.

ODNR last inspected the W.H. Zimmer Wastewater Pond in June of 2008. ODNR issued DEO a Dam Safety Inspection report resulting from this inspection in October 2008. A copy of this report is included as an attachment.

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.

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 Zimmer Wastewater pond was commissioned in 1989.

- 10 acres in total surface area with 75 acre/feet of total storage area
- The station estimated in January 2010 that the pond was approximately 45% full.

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 Wastewater Pond in the last ten years.

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

Current legal owners of the W.H. Zimmer Generating Station are Duke Energy Ohio, Inc., Columbus Southern Power Company, and The Dayton Power and Light Company. The current legal operator of the Station is Duke Energy Ohio, Inc.