

US EPA ARCHIVE DOCUMENT



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

January 12, 2012

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

VIA E-MAIL

Mr. Jerry Purvis, Manager Environmental Affairs
East Kentucky Power Cooperative
4775 Lexington Road
PO Box 707
Winchester, Kentucky 40392-0707

Re: Request for Action Plan regarding East Kentucky Power Coop Inc - H. L. Spurlock Power Station

Dear Mr. Purvis,

On February 15, 2011 the United States Environmental Protection Agency ("EPA") and its engineering contractors conducted a coal combustion residual (CCR) site assessment at the East Kentucky Power Coop Inc - H. L. Spurlock Power Station facility. The purpose of this visit was to assess the structural stability of the impoundment 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 unit at the East Kentucky Power Coop Inc - H. L. Spurlock 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 East Kentucky Power Coop Inc - H. L. Spurlock 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 East Kentucky Power Coop Inc - H. L. Spurlock 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 unit(s) 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 February 13, 2012. 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 of hand delivery mail, please use the following address:

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

You may also provide a response by e-mail to hoffman.stephen@epa.gov, kohler.james@epa.gov, and englander.jana@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

Enclosure

**East Kentucky Power Coop Inc - H. L. Spurlock Power Station Recommendations
(from the final assessment report)**

1.0 CONCLUSIONS AND RECOMMENDATIONS

1.1 CONCLUSIONS

Conclusions are based on visual observations from a one-day site visit, Tuesday, February 15, 2011, and review of technical documentation provided by East Kentucky Power Cooperative.

1.1.1 Conclusions Regarding the Structural Soundness of the Management Unit(s)

The dike embankments appear to be structurally sound.

1.1.2 Conclusions Regarding the Hydrologic/Hydraulic Safety of the Management Unit(s)

Hydrologic and hydraulic analyses provided to Dewberry indicate adequate impoundment capacity to contain the 1 percent probability design storm without overtopping the dikes.

1.1.3 Conclusions Regarding the Adequacy of Supporting Technical Documentation

The supporting technical documentation is adequate. Engineering documentation reviewed is referenced in Appendix A and C of the final report.

1.1.4 Conclusions Regarding the Description of the Management Unit(s)

The description of the management unit provided by the owner was an accurate representation of what Dewberry observed in the field.

1.1.5 Conclusions Regarding the Field Observations

The visible parts of the embankment dikes and outlet structure (pump station) were observed to have no signs of overstress, significant settlement, shear failure, or other signs of instability. However, visual observations of the floodside embankments were restricted by the presence of thick vegetation, specifically phragmites, in some areas (See Section 5.2.2 of the final report). Wet areas were observed at two locations during observations of the exterior slopes along the north dike. Section 5.2.3 of the final report addressed this observation further. Embankments appear structurally sound. There are no apparent indications of unsafe conditions or conditions needing remedial action.

There was, however, some concern about past beaver habitation in/near the bottom of the southeast corner of the impoundment (See Section 5.2.3 of the final report for Figures). The beaver dam had recently been removed at the time of Dewberry's visual assessment.

1.1.6 Conclusions Regarding the Adequacy of Maintenance and Methods of Operation

The current maintenance and methods of operation appear to be adequate for the Spurlock Ash Pond. There was no evidence of significant embankment repairs or prior releases observed during the field assessment.

1.1.7 Conclusions Regarding the Adequacy of the Surveillance and Monitoring Program

The surveillance program appears to be adequate. The management unit dikes are instrumented.

1.1.8 Classification Regarding Suitability for Continued Safe and Reliable Operation

The facility is SATISFACTORY for continued safe and reliable operation. No existing or potential management unit safety deficiencies are recognized. Acceptable performance is expected under all applicable loading conditions (static, hydrologic, seismic) in accordance with the applicable criteria.

1.2 RECOMMENDATIONS

1.2.1 Recommendations Regarding the Field Observations

Re-grading the low-lying areas that are collecting natural precipitation will reduce the potential for the ponding of water around the dam embankment, as mentioned in Section 1.1.5.

1.2.2 Recommendations Regarding the Maintenance and Methods of Operation

These recommendations should improve the safety and operation of the dike system:

As recommended within the S&ME Instrumentation Report's recent recommendations (See Appendix A, Doc 03 of the final report), all of the instruments are to be checked on a quarterly basis at a minimum.

Maintenance staff at the plant should continue to monitor the area in the southeast corner of the outside embankment associated with the adjacent ditch along the railroad and possible beaver habitat in the area as well as the toe of the northern embankment as mentioned in Section 1.1.5 and 1.2.1, for signs of flow, leaks, or change in water color or clarity.