

US EPA ARCHIVE DOCUMENT

Charles H. (Chuck) Huling, P.E.

Vice President
Environmental Affairs

Bin 10221
241 Ralph McGill Boulevard NE
Atlanta, Georgia 30308-3374

Tel 404.506.7716
Fax 404.506.1499
chhuling@southernco.com

5/19/11

April 06, 2009

VIA FEDEX



Mr. Richard Kinch
U.S. Environmental Protection Agency
Two Potomac Yard
2733 South Crystal Drive
Fifth Floor; N-5783
Arlington, Virginia 22202-2733

**Re: Response to Request to Georgia Power Plant McIntosh for Information Under
Section 104(e) of the Comprehensive Environmental Response, Compensation, and
Liability Act, 42 U.S.C., 9604(e), dated March 9, 2009**

Dear Mr. Kinch:

On behalf of Georgia Power, this letter responds to the Information Request of the Environmental Protection Agency ("EPA"), dated March 9, 2009, to provide certain information regarding the management of coal combustion by-products ("CCPs") at Plant McIntosh. This request was received by Plant McIntosh on March 30, 2009. Please note that Plant McIntosh is a plant formerly owned by Savannah Electric and Power Company but, through a merger in 2006, is now owned by Georgia Power. Georgia Power appreciates the purpose of EPA's review of current management practices at CCP impoundments across the electric utility industry, and we trust this response will assist EPA in that regard.

EPA has requested some information which Georgia Power does not ordinarily report or maintain for the use of any state or federal agency. Some of EPA's requests have required Georgia Power to gather, compile, and confirm information in a manner which is beyond its usual business practices. To provide complete and accurate responses, Georgia Power has relied on personnel and information located at the plants, at corporate headquarters, and at Southern Company Services, an affiliated company. Georgia Power has made a reasonable effort to ensure the accuracy and completeness of its responses within the short time demanded by EPA. Georgia Power reserves the right to supplement this response should the company determine it is appropriate to do so based on additional information or for other reasons. Also, Georgia Power is correcting a typographical error in question No. 6 in its submittal of Plant Scherer's response, dated March 25, 1009, to EPA's CERCLA § 104(e) Request regarding CCPs. A corrected page is attached for that submittal.

Certain information included in Georgia Power's responses would raise homeland security concerns if publicly disclosed, and some of that information is also confidential commercial information. Accordingly, some of Georgia Power's responses are confidential or not otherwise subject to public disclosure for purposes of 5 U.S.C. § 552(b)(2), (4) and (7) and 18 U.S.C. § 1905. Georgia Power has provided the responses which include confidential information in a

Mr. Richard Kinch

April 6, 2009

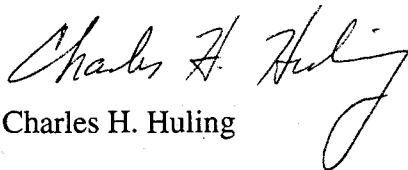
Page 2

separate appendix. Georgia Power asserts a claim of confidentiality for the information provided in this appendix and has marked it as confidential. Georgia Power provides the information marked as confidential on the condition that EPA not disclose the information publicly pursuant to the Freedom of Information Act or any other authority. Should EPA dispute Georgia Power's claim of confidentiality or consider disclosing the confidential information to any other party, please contact me immediately.

Georgia Power has gathered information to respond to EPA's request in consultation with legal counsel. Providing this information does not constitute any waiver of the attorney-client privilege or any other applicable claim of confidentiality with respect to communications, documents, or any other information of Georgia Power. Georgia Power provides this response on a voluntary basis. Georgia Power does not concede the authority of EPA to compel disclosure of the information provided or to require a certification pursuant to CERCLA Section 104(e), nor does Georgia Power waive any other right or privilege it may possess.

Please direct all future correspondence regarding this and related matters to Charles H. Huling, Vice President, Environmental Affairs, Georgia Power, 241 Ralph McGill Blvd., N.E., 22nd Floor, Bin 10221, Atlanta, Georgia 30308-3374.

Sincerely,



Charles H. Huling

TDB/wre

Enclosures

April 6, 2009

PLANT MCINTOSH

P. O. Box 2507

Rincon, Georgia 31326

Note: The text of EPA's questions is included below in *italics*. Georgia Power's responses are provided in plain text.

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, 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.*

The National Inventory of Dams (NID) does not list the Plant McIntosh ash pond. The Georgia Environmental Protection Division Safe Dams Program does not list the Plant McIntosh ash pond in its inventory. Based on this, this unit does not have a rating.

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

The Plant McIntosh ash pond was commissioned in 1982.

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).*

Plant McIntosh ash pond contains fly ash, bottom ash, boiler slag, pyrites and other low volume waste as defined in 40 CFR 423.11.

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

(a) Yes, the management unit was designed by a Professional Engineer.

(b) Yes, the Plant McIntosh ash pond was constructed under the supervision of a Professional Engineer.

(c) Yes, the inspection and monitoring of the safety of the Plant McIntosh ash pond is under the supervision of a Professional Engineer. See 5(b).

5. [Response provided in an appendix.]

6. [Response provided in an appendix.]

7. [Response provided in an appendix.]

8. [Response provided in an appendix.]

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 spills or unpermitted releases from the Plant McIntosh ash pond within the last ten years.

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

Georgia Power is the legal owner and operator of this facility.

DO NOT DISCLOSE

CONFIDENTIAL BUSINESS INFORMATION

Not Subject to Disclosure under the Freedom of Information Act

CONFIDENTIAL APPENDIX

April 6, 2009

PLANT MCINTOSH
P. O. Box 2507
Rincon, Georgia 31326

Note: The text of EPA's questions is included below in *italics*. Georgia Power's responses are provided in plain text.

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.

5. *(a) When did the company last assess or evaluate the safety (i.e. structural integrity) of the management unit(s)? (b) Briefly describe the credentials of those conducting the structural integrity assessments/evaluations. (c) Identify actions taken or planned by facility personnel as a result of these assessments or evaluations. (d) If corrective actions were taken, briefly describe the credentials of those performing the corrective actions, whether they were company employees or contractors. (e) If the company plans an assessment or evaluation in the future when is it expected to occur?*

(a) The Plant McIntosh ash pond was last inspected on January 16, 2009. This structure will be inspected annually as part of a comprehensive dam safety program run by the Southern Company Generation Hydro Services group. This dam safety program covers all of Southern Company's ash pond dams, storage pond dams, and hydroelectric dams. Additionally, plant personnel check these dams on a frequent basis.

(b) The inspector for Plant McIntosh is Joel L. Galt, PE. Mr. Galt holds a Bachelor of Civil Engineering and a Master of Science in Civil Engineering (Geotechnical). He has over 30 years of experience in geotechnical engineering, the majority of this related to dams. The dam safety inspection results are reviewed by another geotechnical engineer (Larry B. Wills PE, who has over 20 years experience working with dams).

(c) Plant staff is currently obtaining a contractor to perform needed erosion repairs, clear the lane at the toe of the ash pond, place gravel and sand stockpiles on the east and west sides of the ash pond, and implement recommended vegetation control measures. The work is expected to be complete by the end of June 2009. Joel Galt, PE of SCG Hydro Services, is working with the plant staff on a drainage issue.

DO NOT DISCLOSE**CONFIDENTIAL BUSINESS INFORMATION**

Not Subject to Disclosure under the Freedom of Information Act

(d) No special credentials are required for the majority of this work. Mr. Galt's credentials are covered above.

(e) The next inspection of the Plant McIntosh ash pond by the Southern Company Generation Hydro Services group is scheduled for the first quarter of 2010.

6. *When did a State or 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.*

There have been no State or Federal inspections or evaluations of the safety (structural integrity) of the Plant McIntosh ash pond.

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.*

We are not aware of any state or federal assessment, evaluations, or inspections of the Plant McIntosh ash pond conducted within the last year that have uncovered a safety issue with these management units.

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 units. Please provide the date that the volume measurement was taken.*

Management Unit	Surface area (acres)	Total storage capacity (yd ³)	Volume of material currently stored in unit (yd ³)	Date current volume measurement taken	Maximum height of management unit (feet)
McIntosh Ash Pond	27	552,156	136,528	March 2009	36