Dynegy Midwest Region Operations
A Division of Dynegy Inc.
604 Pierce Boulevard
O'Fallon, IL 62269

PRIVILEGED & CONFIDENTIAL

DYNEGY

August 27, 2009

Office of Resource Conservation and Recovery (Mail Code 5304P)
United States Environmental Protection Agency
1200 Pennsylvania Avenue NW Washington, D.C. 20460

Attn: Mr. Stephen Hoffman
RCRA Program Manager

**Draft Coal Combustion Waste Impoundment Dam Assessment Report**
**Dynegy Midwest Generation, Inc. Havana Power Station; Havana, IL**
**By Dewberry & Davis, LLC**
**Project # 0-381**
**June 2009**

**DMG Comments**

Mr. Hoffman:

Dynegy Midwest Generation, Inc. (DMG) appreciates the opportunity to review and comment upon the June 2009 draft dam assessment report of the Havana Station ash pond systems written by Dewberry & Davis, LLC. ***We are enclosing a marked-up copy of selected pages of the draft report, which includes our consolidated comments.***

Most of the comments are straightforward. However, three revisions deserve additional clarification, which are discussed as follows:

- Section 2.3, Page 2-1 and 2-2, 1st Paragraph

  This revised list of waste streams is consistent with the permitted discharges for the east ash pond system, as defined in the NPDES permit (IL0001571).

- Section 2.3, Page 2-2, 7th Paragraph

  This revised list of waste streams is consistent with the permitted discharges for the north ash pond system, as defined in the NPDES permit (IL0001571).

- Section 2.4.1, Page 2-3

  Additional liner details are provided for cells # 1, 2, 3 and 4. Cell # 1 has a 3 foot clay liner system. Cells # 2, 3, and 4 have a 12-inch clay and 45-mil polypropylene composite liner systems.
- Section 7.1.3, Page 7-1

  The phreatic surface was considered in the design. A flownet program was used to calculate the location of the phreatic surface. The surface was found to be well below the base on the dam, because of both the liner and the porous nature of the sandy soils, associated with the Havana area. Because the phreatic surface was so low, it did not need to be considered in the design of the embankments, as it had no influence on the embankments.

Please feel free to contact me if you have questions regarding our comments on this draft report.

Sincerely,

Rick Diericx – Sr. Director
Operations Environmental Compliance
Tel. No. 618-206-5912
e-mail: rick.diericx@dynegy.com

Enclosure

bcc: A. Leskovsek – Houston Legal
K. Millis / J. Watson – Havana Station
T. Davis/S. McVety/P. Morris – O'Fallon OEC USEPA ICR File
Rick Diericx Reading File – O'Fallon Office

DRAFT

## INTRODUCTION

The release of over 5 million cubic yards of coal ash from the Tennessee Valley Authority's Kingston, Tennessee, facility in December 2008 serves as an important reminder of the need for our continued diligence on disposal units where coal combustion wastes are managed. The coal ash from the facility flooded more than 300 acres of land, damaging homes and property. It is critical that we all work to the best of our abilities to prevent a similar catastrophic failure and resultant environmental damage. One of the first steps in this effort is to assess the stability of the impoundments and similar units that contain coal combustion residuals and by-products to determine if and where corrective measures may be needed and then to carry out those measures as expeditiously as possible.

This report for the Havana Power Plant facility assesses the stability of the following management units. This evaluation is based on a site assessment conducted on (~~add date~~ MAY 27, 2009) by (~~add name of contractor and subcontractor for USEPA~~ LOCKHEED MARTIN SERVICES, INC. AND DEWBERRY AND DAVIS, LLC.

## PURPOSE AND SCOPE

The U.S. Environmental Protection Agency (EPA) is embarking on an initiative to investigate the potential for catastrophic failure of Coal Combustion Surface Impoundments (i.e., management unit) from occurring at electric utilities in an effort to protect lives and property from the consequences of a dam failure or the improper release of impounded slurry. The EPA initiative is intended to identify conditions that may adversely affect the structural stability and functionality of a management unit and its appurtenant structures (if present); to note the extent of deterioration (if present), status of maintenance and/or a need for immediate repair; to evaluate conformity with current design and construction practices; and to determine the hazard potential classification for units not currently classified by the management unit owner or by a state or federal agency. The initiative will address management units that are classified as having a Less-than-Low, Low, Significant or High Hazard Potential ranking.

In February 2009, the EPA sent letters to coal-fired electric utilities seeking information on the safety of surface impoundments and similar facilities that receive liquid-borne material that store or dispose of coal combustion residue. This letter was issued under the authority of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 104(e), to assist the Agency in assessing the structural stability of such management units, including which facilities should be visited to perform a safety assessment of the berms, dikes, and dams used in the construction of these impoundments.

EPA requested that utility companies identify all management units including surface impoundments or similar diked or bermed management units or management units designated as landfills that receive liquid-borne material used 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. Utility companies provided information on the size, design, age and the amount of material placed in the units. The EPA used the information received from the utilities to determine preliminarily which management units had or potentially could have High Hazard Potential ranking.

The purpose of this report is to evaluate the condition and potential of waste release from the selected High Hazard Potential management units. This evaluation included a site visit. Prior to conducting the site visit, a two-person team reviewed the information submitted to EPA, reviewed any relevant publicly available information from state or federal

# 1.0 CONCLUSIONS AND RECOMMENDATIONS

## 1.1 CONCLUSIONS

The below conclusions were reached as a result of an extensive visual investigation performed on Wednesday, May 27, 2009, as well as a review of existing documentation acquired from various sources including information provided by Dynegy Midwest Generation, Inc (Dynegy), the current owner and operator of the Havana Power Plant.

These conclusions apply to the East Ash Pond System. The North Ash Pond System is an incision and not an embankment. There is an additional closed South Ash Pond System.

1.1.1 Conclusions Regarding the Structural Soundness of the Management Unit(s). The embankments viewed in the field appeared to be well designed, constructed and well-maintained. There were no visible signs of seepage or sloughing, nor were there any large diameter trees on the embankment.

1.1.2 Conclusions Regarding the Hydrologic/Hydraulic Safety of the Management Unit(s). The embankments appeared to be safe from overtopping and resulting failure. The management units do not drain any appreciable areas other than the surface area of the ponds. ~~Overflow provisions~~ exist in the event the water level rises to near top of embankment levels. PASSIVE EMERGENCY DISCHARGE STRUCTURES

1.1.3 Conclusions Regarding the Adequacy of Supporting Technical Documentation. The supporting technical documents appear to be adequate. The original design calculations and drawings are included as Document 9 in Appendix A.

1.1.4 Conclusions Regarding the Description of the Management Unit(s). The description of the management units provided by Dynegy was an accurate representation of what was observed in the field.

1.1.5 Conclusions Regarding the Field Observations. Dewberry staff was provided access to all areas in the vicinity of the management units required to conduct a thorough field observation. The conclusions provided in this section reflect the engineering team's field observations. The team observed no conditions requiring immediate remedial action.

1.1.6 Conclusions Regarding the Adequacy of Maintenance and Methods of Operation. The current maintenance practices appear to be adequate for the East Ash Pond System.

1.1.7 Conclusions Regarding the Adequacy of the Surveillance and Monitoring Program. The surveillance and inspection procedures outlined in the Operations and Maintenance Plan appear to be adequate. There is currently no instrumentation monitoring plan for embankment performance of the management units themselves, however, there is a monitoring plan for groundwater quality.

1.1.8 Conclusions Regarding Suitability for Continued Safe and Reliable Operation. The field observations and review of documents lead the Dewberry team to conclude that the condition of the East Ash Pond System

# 2.0 DESCRIPTION OF THE COAL COMBUSTION WASTE MANAGEMENT UNIT(S)

## 2.1 LOCATION

The Havana Power Plant is located in the town of Havana, in central Illinois on the east bank of the Illinois River, approximately 38 miles southwest of Peoria. There are a total of three Coal Combustion Waste management units at the Havana Power Plant: the four-cell East Ash Pond System, the North Ash Pond System, and the closed South Ash Pond System (see Figure 1).

As shown on Figure 2, the site vicinity map, the four-cell East Ash Pond System is located just east of SR 78 (Oak Road). Cell 1 within the EAPS is the southernmost cell. Cell 4 is directly north of Cell 1; Cell 2 is directly north of Cell 4; Cell 3 is directly east of Cells 2 and 4 but extends farther north than Cell 2(see Figure 1).

The two-cell North Ash Pond System is located along the eastern bank of the Illinois River, just west of SR 78 (Oak Road) and just south of the power generating facilities.

The South Ash Pond System is just south of the North Ash Pond System.

## 2.2 SIZE AND HAZARD CLASSIFICATION

The size and hazard classification is reported only for the East Ash Pond System at the Havana Power Plant. The North Ash Pond System is an incision and not an embankment and therefore not subject to size and hazard classification. The South Ash Pond System is officially closed (see closure letter - Appendix A, Document 8).

The East Ash Pond System has a total surface area of 90 acres. The maximum height of each individual cell is as follows: Cell 1 - 25 ft, Cell 2-40 ft, Cell 3-38 ft, Cell 4- 40 ft.

A hazard classification of High, as rated in the National Inventory of Dams (NID) database has been assigned to the East Ash Pond System. Similar in rating scale is the designation of a Class I rating given to the cells within the East Ash Pond System by the Illinois Department of Natural Resources (IDNR). Furthermore, the IDNR has classified Cell 3 of the EAPS as an "intermediate-size" dam, and Cells 1, 2, and 4 of the EAPS as "small-size" dams under IDNR permit No. DS2002185.

## 2.3 AMOUNT AND TYPE OF RESIDUALS CURRENTLY CONTAINED IN THE UNIT(S) AND MAXIMUM CAPACITY

The East Ash Pond System is designed to permanently contain the following:

UNIT 6 Fly ash

~~Bottom ash~~

~~Boiler slag~~

Unit 6 bottom ash sluice water

Unit 6 dry fly ash handling area drainage
Dredged material
Units 1-6 demineralizer regenerate wastes
Unit 6 condensate polisher wastes

TREATS UNIT 6 WASTEWATERS

NORTH ASH POND DISCHARGE

The East Ash Pond System currently ~~processes~~ Coal Combustion ~~Waste~~ in Cells 1, 2, 3, and 4. The estimated design volume/capacity of the entire East Ash Pond System as a whole is approximately 2,625 ac-ft. Accordingly, each cell's capacity and contents is described below.

OF CCW,

CONTAIN APPROXIMATELY

Cell 1 has a maximum design volume/capacity of 520 ac-ft and is reported by Dynegy to be currently ~~operating at a capacity of~~ 506 ac-ft. Cell 1 currently contains the materials listed above that will permanently exist within the East Ash Pond System.

Cell 2 has a maximum capacity of 620 ac-ft and is reported by Dynegy to be currently ~~operating at a capacity of~~ 565 ac-ft. Cell 2 currently contains the materials listed above that will permanently exist within the East Ash Pond System.

Cell 3 has a maximum capacity of 1,410 ac-ft and is reported by Dynegy to be currently ~~operating at a capacity of~~ 310 ac-ft. Cell 3 currently contains the materials specified above that will permanently exist within the East Ash Pond System.

Cell 4 has a maximum capacity of 75 ac-ft and is reported by Dynegy to be currently ~~operating at a capacity of~~ 7 ac-ft. Cell 4 currently contains the materials specified above that will permanently exist within the East Ash Pond System.

Dynegy has estimated the volume of the materials currently stored in the North Ash Pond System is 5 ac-ft. The maximum estimated design storage volume, or the capacity, of this unit is 25 ac-ft. As specified by Dynegy, this system has been designed to permanently contain the following:

~~Fly ash~~
~~Bottom ash~~
~~Boiler slag~~
Units 1-6 ash hopper overflow
Units 1-6 boiler blowdown
Units 1-6 demineralizer regenerate wastes
Units 6 condensate polisher wastes
Units 1-6 floor and sump drainage
Units 1-5 miscellaneous heat exchangers
1-5 ash handling equipment drainage
Unit 6 coal pile runoff
Unit 6 transformer drains
Unit 6 roof drainage
Yard area runoff

Water softener backwash
Service water strainer backwash
Units 1-6 nonchemical metal cleaning waste
Unit 6 cooling tower blowdown
Winter low point drain line
Accumulated coal barge stormwater
Reverse osmosis unit concentrate
Reverse osmosis unit maintenance waste
Activated carbon treatment system effluent
~~Activated carbon treatment system effluent~~
Groundwater remediation project discharge
Units 1-6 water sampling system drains

However, Dynegy noted that the North Ash Pond System is currently only receiving coal pile runoff under normal operations. If the East Ash Pond System cannot receive Coal Combustion Waste, it would be sent to the North Ash Pond System as a back-up.

CELL 1 HAS A 3 FOOT CLAY LINER. CELLS 2, 3, AND 4 HAVE 12 INCH CLAY AND 45 MIL POLYPROPYLENE COMPOSITE LINERS.

## 2.4 PRINCIPAL PROJECT STRUCTURES

2.4.1 Earth Embankment Dam. Based on Dynegy design files, the East Ash Pond System is comprised of earth embankments with downstream side slopes of 3:1 (horizontal: vertical) and upstream side slopes of 3:1. ~~There is an impervious area comprising of a 1 foot clay blanket under a geo-membrane liner on the upstream side. The geo-membrane liner covers the entire pond.~~ The North Ash Pond System is an incision – not an embankment. Dynegy reports that little is known about its design.

2.4.2 Outlet Structures. The outlet structure of the East Ash Pond System is an overflow type circular spillway that discharges into a 36-inch diameter concrete pipe that drains to the Illinois River. An emergency overflow structure exists (i.e., a concrete spillway) on the downstream face of Cell 4.

## 2.5 CRITICAL INFRASTRUCTURE WITHIN FIVE MILES DOWN GRADIENT

The inundation map prepared by Dynegy for their Emergency Action Plan (see Appendix A: Document 1.1 and Document 9, pages 2 and 3) indicates that the failure floodwave would dissipate before five miles down gradient. Nonetheless there are homes located immediately down gradient of the Cell 3 embankment as well as an abandoned factory. There is a school within two miles.

# 4.0 SUMMARY OF HISTORY OF CONSTRUCTION AND OPERATION

## 4.1 SUMMARY OF CONSTRUCTION HISTORY

### 4.1.1 Original Construction

The East Ash Pond System was designed by and constructed in stages from 1990 to 2003 under the supervision of a registered Professional Engineer, who was employed by the owner/operator of the Havana Power Plant at that time.

According to Dynegy, there was no record of whether or not the North Ash Pond System was designed by, or under the supervision of a registered Professional Engineer.

### 4.1.2 Significant Changes/Modifications in Design since Original Construction

There have not been any significant changes/modifications in design since original construction at the Havana Power Plant.

### 4.1.3 Significant Repairs/Rehabilitation since Original Construction

There have not been any significant repairs/rehabilitations since original construction at the Havana Power Plant.

## 4.2 SUMMARY OF OPERATIONAL HISTORY

### 4.2.1 Original Operational Procedures

The four cells of the East Ash Pond System were commissioned (started receiving ash) as follows: Cell 1 in ~~1990~~ 1997, Cells 2 and 4 in 1997, Cell 3 in 2003.

The North Ash Pond System was commissioned (started receiving ash) in 1947 and, according to Dynegy, has not been expanded since.

### 4.2.2 Significant Changes in Operational Procedures since Original Startup

None reported by Dynegy.

### 4.2.3 Current Operational Procedures

The current operational procedures at the Havana Power Plant, as reported by Dynegy, are as follows:

- Fly ash is transported dry to East Ash Pond System Cell 3, where it is wetted and discharged into Cell 3;

# 5.0 FIELD OBSERVATIONS

## 5.1 PROJECT OVERVIEW AND SIGNIFICANT FINDINGS

Both the East Ash Pond System and the North Ash Pond System were visually observed on Wednesday, May 27, 2009. A series of photographs taken during this observation can be found in Appendix B of this report. In addition, a field checklist is included as Appendix C.

Based upon the field observations, the following findings are reported:

- The embankments at the East Ash Pond System, designed by a professional engineer, appear to be well constructed and structurally sound. There is regulatory oversight under the State of Illinois Dam Safety Program.
- The North Ash Pond System was constructed as an incision and does not use embankments as part of their design.
- A third ash pond system exists (the South Ash Pond System), but has been officially closed (see Appendix A, Document 8 for official closure letter).

## 5.2 EARTH EMBANKMENT DAM

EAST ASH POND

5.2.1 Crest – appears to be structurally sound.

5.2.2 Upstream Slope – appears to be structurally sound.

5.2.3 Downstream Slope and Toe – appears to be structurally sound; although a few ponding areas at toe were noted but deemed to be from recent rains.

5.2.4 Abutments and Groin Areas – not applicable.

## 5.3 OUTLET STRUCTURES

5.3.1 Overflow Structure – appears to be structurally sound.

5.3.2 Outlet Conduit – not visible.

5.2.3 Emergency Spillway (If Present) – appears to be structurally sound.

# 7.0 STRUCTURAL STABILITY

## 7.1 SUPPORTING TECHNICAL DOCUMENTATION

7.1.1 Stability Analyses and Load Cases Analyzed – Provided by Dynegy (Appendix A, Document 9 (7))

7.1.2 Design Properties and Parameters of Materials – Provided by Dynegy (Appendix A, Document 9 (7))

7.1.3 Uplift and/or Phreatic Surface Assumptions – ~~apparently not considered in design, due to liner on upstream side.~~ CONSIDERED IN DESIGN, BUT FOUND TO HAVE NO INFLUENCE ON THE EMBANKMENTS.

7.1.4 Factors of Safety and Base Stresses – Provided by Dynegy (Appendix A, Document 9 (7)), greater than 1.5 for all cases considered. This is consistent with accepted practice for design of this type of embankment.

7.1.5 Liquefaction Potential – apparently not considered in design, due to seismic conditions and foundation soil conditions.

7.1.6 Critical Geological Conditions – Provided by Dynegy (Appendix A, Document 9 (7)). Site is in seismic zone 1, factor of safety is greater than 1.0 for all cases considered. This is consistent with accepted practice for design of this type of embankment.

## 7.2 ADEQUACY OF SUPPORTING TECHNICAL DOCUMENTATION – Appears to be adequate, despite no evidence of uplift/phreatic considerations or liquefaction potential.

## 7.3 ASSESSMENT OF STRUCTURAL STABILITY

Based on review of information provided by Dynegy and visual observation on May 27, 2009, the embankments at the East Ash Pond System appear to be structurally stable.

From: Killeen, Deborah A [deborah.a.killeen@lmco.com]
Sent: Tuesday, August 18, 2009 2:39 PM
To: Strauss, Jerome
Cc: Hoffman.Stephen@epamail.epa.gov; Kohler.James@epamail.epa.gov; Miller, Dennis A
Subject: FW: State Comments on Dynegy's Havana Power Plant Draft Report

Jerry,

Please find comments from the State on the Dynegy - Havana facility draft final report.

Deborah A Killeen
Quality Assurance Officer
Lockheed Martin/REAC
732-321-4245 (office)
609-865-9308 (cell)
732-494-4021 (fax)

-----Original Message-----
From: Kohler.James@epamail.epa.gov [mailto:Kohler.James@epamail.epa.gov]

Sent: Tuesday, August 18, 2009 1:12 PM
To: Miller, Dennis A; Killeen, Deborah A
Cc: Hoffman.Stephen@epamail.epa.gov
Subject: State Comments on Dynegy's Havana Power Plant Draft Report

Dennis and Deb:

Attached are comments from the state on the Dynegy Havana Power Plant Draft Report. They should be verified and incorporated accordingly, specifically:

>please refer to Paul's comments on Wood River regarding what he calls "cover language" to increase precision of report language by making clear what can be concluded from a visual inspection and review of the records.
>please clarify whether the school is in the breach wave inundation area
>are there additional reasons beyond the fact that south pond is closed that can be used to justify exclusion from report?

Ultimately, we would like to include all original comments (EPA/state/facility) in a separate appendix in the Final Report. EPA will prepare a response to comments page which will be placed in front of the original comments in the Appendix.

If you have any questions or concerns with these directions please feel free to call me or Steve. Thanks!

**********
Jim Kohler, P.E.
Environmental Engineer
LT, U.S. Public Health Service
U.S. Environmental Protection Agency
Office of Resource Conservation and Recovery
Phone: 703-347-8953
Fax: 703-308-8433
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----- Forwarded by James Kohler/DC/USEPA/US on 08/17/2009 04:19 PM -----
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|"Mauer, Paul" <Paul.Mauer@Illinois.gov>
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  |James Kohler/DC/USEPA/US@EPA
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This report also suffers from the use of too much 'cover' language.
However the overall determination that the East structure is satisfactory is consistent with our opinion of the structure.

I am concerned with the reference to a school in 2.5. If the school is not in the breach wave inundation area, there is no basis for mentioning it. If it is within the breach wave and, therefore, within the planning area of the EAP, both facts should be clearly stated.

I was interested that the consultant made no effort regarding the South Pond. Being older and constructed prior to current technical requirements, that pond has a higher probability of failure. It is a Low hazard structure, but if the consultant was directed to inspect only the High hazard structures, the Wood River report includes too much information on the West structure there. If the point was to look at all structures at sites that include a High hazard dam, the South Pond at Havana should have been investigated.

I would like to recieve a final copy of each report for our file.
Electronic copies would be fine if that works for you.

Paul

-----Original Message-----
From: Kohler.James@epamail.epa.gov [mailto:Kohler.James@epamail.epa.gov]

Sent: Wednesday, August 12, 2009 1:42 PM
To: Mauer, Paul
Subject: RE: Request for review

Paul,

Thank you for these comments. They will be forwarded to the contractor to improve the quality of the report. Below is the link to the Havana report/appendices (these links expire after 7 days so the original one I sent Jason may no longer be operable).

Havana report:
https://www.yousendit.com/download/Y1RveUNFQXBRYSt4dnc9PQ

Havana report appendices:
https://www.yousendit.com/download/Y1RveUNFQXBPSHp2Wmc9PQ

**********
Jim Kohler, P.E.
Environmental Engineer
LT, U.S. Public Health Service
U.S. Environmental Protection Agency
Office of Resource Conservation and Recovery
Phone: 703-347-8953
Fax: 703-308-8433
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| From:      |
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  |"Mauer, Paul" <Paul.Mauer@Illinois.gov>
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Reviewed the draft report for Wood River. Generally the report is too full of 'outs' like "The embankments appear to be safe from overtopping..." The inspector is expected to provide factual information, limited only by the standards set for the inspection. If he was not allowed to confirm the

probability of overtopping, the conclusion should not be listed. The report is formatted as a full inspection, but it appears that the conclusions only support a visual assessment. Not having the scope of work, and not having been invited to the inspection, it is hard to provide more detailed comments.

In the Size and Hazard Classification section the report indicates that the EAPS is not listed in the National Database. The EAPS is listed under ID No. IL50536. The High hazard classification is based on both the treatment plant and the adjacent indistrial products distribution facility adjacent to the treatment plant.

Jason has initially indicated that he did not receive the Havana report. He is looking at his e-mail again.

Paul

-----Original Message-----
From: Kohler.James@epamail.epa.gov [mailto:Kohler.James@epamail.epa.gov]

Sent: Thursday, August 06, 2009 3:30 PM
To: Mauer, Paul
Subject: Re: Request for review

Paul,

What facility are your referring to?

Here are the folks I sent the draft assessment reports to who attended the inspections:

For Dynergy Midwest Generation, Inc. - Havana Power Plant Chris Liebman, Ted Dragovich, Doug Van Nattan - Illinois Environmental Protection Agency

For Dynergy Midwest Generation, Inc. - Wood River Power Station Chris Liebmann, Ted Dragovich, Kenneth Smith - Illinois Environmental Protection Agency

I'm not sure what the invitation process was for these inspections, but I also sent these reports to Jason Campbell for review. Do you work with him?

**********
Jim Kohler, P.E.
Environmental Engineer
LT, U.S. Public Health Service
U.S. Environmental Protection Agency
Office of Resource Conservation and Recovery
Phone: 703-347-8953
Fax: 703-308-8433
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|------------>
| From: |
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|"Mauer, Paul" <Paul.Mauer@Illinois.gov>
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| To: |
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|James Kohler/DC/USEPA/US@EPA
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|Request for review
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Just need to verify.  You understand that if I open the attachments to review them, they are public documents.  At that point I have no control over the public's access to them.

Also I am interested in why I would be asked to do a review when I was not offered the chance to participate in the inspection?

Paul Mauer, Jr., P.E.
Senior Dam Safety Engineer
Illinois Dam Safety Program