MidAmerican ENERGY
OBSESSIVELY, RELENTLESSLY AT YOUR SERVICE.

March 30, 2009

Mr. Richard Kinch
US Environmental Protection Agency
Two Potomac Yard
2733 S. Crystal Dr.
5th Floor; N-56
Arlington, VA 22202 2733

VIA OVERNIGHT MAIL

Re: Surface Impoundment Section 104(e) Request
Walter Scott Junior Energy Center, Council Bluffs, Iowa

Dear Mr. Kinch:

This letter responds to the subject information collection request issued by the United States Environmental Protection Agency (EPA) pursuant to section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9604(e). MidAmerican Energy Company's Walter Scott Junior Energy Center (formerly the Council Bluffs Energy Center) received your request on March 16, 2009, and this response has been timely submitted within the required ten (10) business days.

MidAmerican Energy Company (MidAmerican) understands that it is not obligated to provide any information or documents protected from disclosure by either attorney-client privilege or the work product doctrine. MidAmerican notes, objects, and reserves all rights to object in the future to EPA's apparent assumption that the residuals or byproducts from the combustion of coal are potential subjects of liability for reimbursement of costs or response under CERCLA; that they are appropriate subjects of the information requests to which MidAmerican is responding; or that they are "hazardous substances" within the meaning of CERCLA. Further, by responding to EPA's request, MidAmerican does not acknowledge that there is any release or threatened release of a hazardous substance, pollutant or contaminant. MidAmerican also reserves all rights, including rights to object to the requests, not expressly waived.

MidAmerican further objects to this request because it contains undefined and ambiguous terms such as "surface impoundment", "similar diked or bermed management unit(s)", "landfills", "liquid-borne material", "storage or disposal", "no longer receive", "coal combustion residues", "residuals or byproducts", "residues or by-products", and "free liquids", and because the terms "residuals or byproducts" and "residues or by-products" seem to be used interchangeably without an explanation whether the terms are intended to have the same meaning.

Subject to the objections stated herein, MidAmerican provides the following response.

MidAmerican's Walter Scott Junior Energy Center has two surface impoundments. The two surface impoundments receive liquid-borne material for the storage of residuals or by-products from the combustion of coal. The questions enclosed in the information collection request have been copied below (in italics) with responses for each of the two surface impoundments.

SOUTH SURFACE IMPOUNDMENT RESPONSES:

1. Relative to the National Inventory of Dams criteria for High, Significant, Low, or Less than Low Hazard Potential, 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 units. If the unit does not have a rating, please note that fact.

To MidAmerican's knowledge, the Walter Scott Junior Energy Center's South Surface Impoundment has not been rated by a Federal or State regulatory agency relative to the National Inventory of Dams criteria.

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

The South Surface Impoundment was placed into service in 1979, and there has been no expansion.

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 solid materials in the South Surface Impoundment are coal combustion residue and are temporarily stored. The details are as follows:

(1) Fly ash – No fly ash is stored in the South Surface Impoundment.
(2) Bottom ash – 100% of the material is bottom ash and boiler slag.
(3) Boiler slag - This material is included as part of the bottom ash estimate in (2) above. The boiler slag volume can not be separately estimated from the bottom ash mixture.
(4) Flue gas emission control residuals – No flue gas emission control residuals are stored in the South Surface Impoundment.
(5) Other – The South Surface Impoundment receives pH-adjusted process water from the demineralization system on Walter Scott Junior Energy Center Units 3 and 4; including approximately 58,500 gallons per year from Unit 3 and approximately 1.3 million gallons per year from Unit 4. In addition, the South

Surface Impoundment receives a relatively small amount of economizer ash hydrovactor discharge water from Unit 3.

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

The Walter Scott Junior Energy Center South Surface Impoundment was not designed by a Professional Engineer, nor was construction 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?

MidAmerican has not assessed or evaluated the structural integrity of the South Surface Impoundment at the Walter Scott Junior Energy Center. However, as part of the actions by the United States Army Corps of Engineers, discussed in Question #6 below, the Walter Scott Junior Energy Center is monitoring a levee stabilization project to straighten Pony Creek, which runs between the North Surface Impoundment and the South Surface Impoundment at the facility.

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.

The South Surface Impoundment has not been the subject of any specific inspections by State or Federal regulatory officials, and MidAmerican is not aware of any planned inspections. However, numerous regulatory agency inspectors have visited the site for other reasons during the operating history of South Surface Impoundment, and such inspections may have included a visual observation of the surface impoundment.

The United States Army Corps of Engineers is currently conducting a levee stabilization project by straightening Pony Creek, which runs between the North Surface Impoundment and the South Surface Impoundment at the Walter Scott Junior Energy Center. The Army Corps of Engineers is considering performing tests on the structural integrity of the levees bordering the surface impoundments, but plans have not yet been finalized. The stabilization project is expected to be completed later in 2009, at which

time a report or evaluation may be available if such an evaluation is completed by the Army Corps of Engineers.

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.

There have been no assessments, evaluations or inspections by State or Federal regulatory officials within the past year of the South Surface Impoundment. No other assessments, evaluations or inspections by State or Federal regulatory officials within the past year referenced safety issues regarding the South Surface Impoundment.

8. What is the surface area (acres) and total storage capacity of each of the management units? What is the volume of materials currently stored in each of the management unit(s). Please provide the date that the volume measurement(s) was taken. Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.

The total surface area of South Surface Impoundment is approximately 133 acres, and the total volumetric storage capacity is estimated to be approximately 2,140,000 cubic yards of bottom ash and boiler slag. As of March 17, 2009, the South Surface Impoundment was estimated to contain approximately 1,070,000 cubic yards of bottom ash and boiler slag.

The maximum height of the South Surface Impoundment is approximately 6.6 feet as measured by the minimum crest height of the north levee. However, the actual water level in the South Surface Impoundment is more than four feet below the crest of the north levee.

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 South Surface Impoundment at the Walter Scott Junior Energy Center within the last ten years.

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

The legal operator of the Walter Scott Junior Energy Center is MidAmerican Energy Company. The legal owners of the Walter Scott Junior Energy Center Units, and their respective ownership shares, are listed below:

Unit 1

- MidAmerican Energy Company (100%)

Unit 2

- MidAmerican Energy Company (100%)

Unit 3

- MidAmerican Energy Company (79.1%)
- Central Iowa Power Cooperative (11.5%)
- Corn Belt Power Cooperative (3.8%)
- Cedar Falls Utilities (3.1%)
- Atlantic Municipal Utilities (2.5%)

Unit 4

- MidAmerican Energy Company (59.66%)
- Lincoln Electric System (12.66%)
- Central Iowa Power Cooperative (9.01%)
- Municipal Energy Agency of Nebraska (6.67%)
- Corn Belt Power Cooperative (5.33%)
- Cedar Falls Utilities (2.02%)
- Pella Municipal Light & Power (1.33%)
- Spencer Municipal Utilities (1.07%)
- Eldridge Electric & Water Utilities (0.53%)
- New Hampton Municipal Light Plant (0.53%)
- Montezuma Municipal Light & Power (0.40%)
- Waverly Light & Power (0.40%)
- Alta Municipal Utilities (0.13%)
- Sumner Municipal Light Plant (0.13%)
- West Bend Municipal Utilities (0.13%)

NORTH SURFACE IMPOUNDMENTS RESPONSES:

1. Relative to the National Inventory of Dams criteria for High, Significant, Low, or Less than Low Hazard Potential, 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 units. If the unit does not have a rating, please note that fact.

To MidAmerican's knowledge, the Walter Scott Junior Energy Center's North Surface Impoundment has not been rated by a Federal or State regulatory agency relative to the National Inventory of Dams criteria.

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

The North Surface Impoundment was placed into service in 1978, and there has been no expansion.

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 solid materials in the North Surface Impoundment are coal combustion residue and are temporarily stored. The details are as follows:

(1) Fly ash – Fly ash was sent to the North Surface Impoundment until December 31, 2007; however, no fly ash is presently sent to the North Surface Impoundment. Instead, hydrated and solidified fly ash is now actively reclaimed from the North Surface Impoundment for beneficial use.
(2) Bottom ash – As of December 31, 2007, 100% of the material sent to the North Surface Impoundment is bottom ash and boiler slag.
(3) Boiler slag - This material is included as part of the bottom ash estimate in (2) above. The boiler slag volume can not be separately estimated from the bottom ash mixture.
(4) Flue gas emission control residuals – No flue gas emission control residuals are stored in the North Surface Impoundment.
(5) Other – The solidified fly ash area of the North Surface Impoundment is sometimes used as an equipment and supply lay-down and soil stockpile area for construction projects at the facility; however, these materials are only temporarily stored in this area and are not wastes.

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

The Walter Scott Junior Energy Center North Surface Impoundment was not designed by a Professional Engineer, nor was construction 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?

MidAmerican has not assessed or evaluated the structural integrity of the North Surface Impoundment at the Walter Scott Junior Energy Center. However, as part of the actions by the United States Army Corps of Engineers, discussed in Question #6 below, the Walter Scott Junior Energy Center is monitoring a levee stabilization project to straighten Pony Creek, which runs between the North Surface Impoundment and the South Surface Impoundment at the facility.

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.

The North Surface Impoundment has not been the subject of any specific inspections by State or Federal regulatory officials, and MidAmerican is not aware of any planned inspections. However, numerous regulatory agency inspectors have visited the site for other reasons during the operating history of North Surface Impoundment, and such inspections may have included a visual observation of the surface impoundment.

The United States Army Corps of Engineers is currently conducting a levee stabilization project by straightening Pony Creek, which runs between the North Surface Impoundment and the South Surface Impoundment at the Walter Scott Junior Energy Center. The Army Corps of Engineers is considering performing tests on the structural integrity of the levees bordering the surface impoundments, but plans have not yet been finalized. The stabilization project is expected to be completed later in 2009, at which time a report or evaluation may be available if such an evaluation is completed by the Army Corps of Engineers.

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.

There have been no assessments, evaluations or inspections by State or Federal regulatory officials within the past year of the North Surface Impoundment. No other assessments, evaluations or inspections by State or Federal regulatory officials within the past year referenced safety issues regarding the North Surface Impoundment.

8. What is the surface area (acres) and total storage capacity of each of the management units? What is the volume of materials currently stored in each of the management unit(s). Please provide the date that the volume measurement(s) was taken. Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.

The total surface area of the North Surface Impoundment is approximately 171 acres, and the total volumetric storage capacity is estimated to be approximately 3,300,000 cubic yards of coal combustion residue. As of March 17, 2009, the North Surface Impoundment was estimated to contain approximately 2,000,000 cubic yards of coal combustion residue.

The maximum height of the North Surface Impoundment is approximately 11.2 feet as measured by the minimum crest height of the levee. Nonetheless, the North Surface Impoundment sits at, or near, the surrounding grade and the actual water level is more than 14 feet below the crest of the levee.

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 North Surface Impoundment at the Walter Scott Junior Energy Center within the last ten years.

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

The legal operator of the Walter Scott Junior Energy Center is MidAmerican Energy Company. The legal owners of the Walter Scott Junior Energy Center Units, and their respective ownership shares by Unit, are listed below:

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- West Bend Municipal Utilities (0.13%)

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.

Signature: Arthur B Short for DAVID ULOZAS 3/30/09

Name: David W. Ulozas

Title: General Manager – Walter Scott Junior Energy Center