Huntley Power LLC
Huntley Electric Generating Station
3500 River Road
Tonawanda, NY 14150

Via CERTIFIED MAIL/RETURN RECEIPT REQUESTED

May 15, 2009

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

SUBJECT: Request for Information Under Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9604(e)
Huntley Electric Generating Station
Tonawanda, New York

Dear Mr. Kinch:

Huntley Power LLC ("HPL") hereby provides to the United States Environmental Protection Agency ("EPA") information and documentation in response to the above-referenced Request for Information ("ROI") regarding the Huntley Electric Generating Station ("Huntley Station"). Huntley Station received the ROI on May 04, 2009. As requested, HPL is submitting this response to the ROI to EPA within ten business days of receipt. Enclosed as an attachment to this letter are HPL's responses to the ROI regarding each of the coal combustion by-product waste management units at Huntley Station. Each individual information request is set forth in italics followed by HPL's response.

I hereby certify that the information contained in this response to the ROI 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 gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, and of those persons directly responsible for gathering the information, to the best of my knowledge, the information submitted is 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 questions regarding the submittal information, please contact me at (716) 673-6395.

Sincerely,

Carson Leikam
Plant Manager

ATTACHMENT A

South Equalization Basin
Huntley Electric Generating Station

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 does not have a rating, please note that fact.

The South equalization unit is a partially below-grade, asphalt-lined basin. The unit does not have rating because it does not meet the applicability criteria of the New York State Dam Safety Program (the "Dam Safety Program"). Surface impoundments which are part of an approved waste water treatment process are exempt from the Dam Safety Program and are regulated within the State Pollutant Discharge Elimination System ("SPDES") permit issued by the New York State Department of Environmental Conservation ("NYSDEC") Division of Water.

The equalization basin has a berm on the north and west sides with a maximum height of 5 feet. In the event of a failure of the berm, spillage may flow offsite to the Niagara River.

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

The South equalization unit was commissioned in 1983 and has not been expanded.

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).

The South equalization unit is used to temporarily collect materials in categories (1) and (5), including coal pile runoff, boiler and air preheater wash water containing coal fines, and fly ash, before these materials are treated by the waste water treatment system. Washes are performed periodically and any collected coal fines and fly ash are removed from the equalization basin and transported to the Huntley Station's off-site ash landfill.

4. Was the management 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 South equalization unit was designed by Stanley Consultants and the drawings have a Professional Engineer ("PE") stamp. The Construction Services Department within Niagara Mohawk Power Corporation (the previous owner) ("NIMO") supervised the construction of this unit. HPL does not have detailed records on the construction of this unit. This basin holds boiler wash water for a limited period of time. It is inspected by Huntley Station's operations department during use, but it is not under the supervision of a PE.

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?

The condition of the equalization unit is assessed by the wastewater facility operator on a daily basis with regard to operational safety. Any observed issues are brought back to plant management. In the event of potential structural observations, HPL consults with its engineers experienced in this area or with external geotechnical engineers. No significant safety issues have been observed with respect to the basin during recent inspections. Plans are to continue with the daily inspection conducted by Huntley Station staff and perform assessments by a civil engineer as needed.

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.

The last annual SPDES inspection was performed on February 12, 2009 by a NYSDEC Water Division engineer, at which time no problems were observed for the system. At this time, HPL is not aware of any additional planned state or federal inspection or evaluation in the future.

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. Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.

Surface area: 1.576 acres; total capacity: 8.28 acre feet.

Approximately 2,100,000 gallons working capacity based on 15 inches of freeboard.

The liquid volume of material stored in the equalization unit varies depending on coal pile runoff, which is related to precipitation events in the Huntley Station area. A nominal amount of ash-related solids are present after boiler/precipitator washes, but solids are primarily coal fines. There is currently no solid or liquid material in the unit.

The equalization basin is fitted with a filter press for sludge removal to the Huntley Station landfill. The amount of sludge in the basin is not large enough for filter press operation. When necessary, sludge is currently removed from the equalization basin by vacuum truck and incinerated in the boilers.

The berm height ranges from 0 feet (grade) to 5 feet.

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 unit in the last ten years.

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

The legal owner and operator is Huntley Power LLC.

ATTACHMENT B
North Equalization Basin
Huntley Electric Generating Station

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 does not have a rating, please note that fact.

The North equalization unit is a partially below-grade, asphalt-lined basin. The unit does not have rating because it does not meet the applicability criteria of the Dam Safety Program. The equalization basin is regulated by the NYSDEC as part of the SPDES permit. Surface impoundments which are part of an approved waste water treatment process are exempt from the Dam Safety Program and are regulated within the SPDES permit issued by the NYSDEC Division of Water.

The equalization unit has a berm on the north side of the basin that ranges in height from height 2 to 3 feet above grade. In the event of a failure of the berm any spillage would be limited to the Huntley Station property.

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

The South equalization unit was commissioned in 1983 and has not been expanded.

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).

The South equalization unit is used to temporarily collect materials in categories (1) and (5), including coal pile runoff, boiler and air preheater wash water containing coal fines, and fly ash, before these materials are treated by the waste water treatment system. Washes are performed periodically, and any collected coal fines and fly ash are removed from the basin and transported to the Huntley Station's off-site ash landfill.

4. Was the management 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 South equalization unit was designed by Stanley Consultants and the drawings have a PE stamp. NIMO's Construction Services Department supervised the construction of this unit. HPL does not have detailed records on the construction of this unit. This basin contains boiler wash water for a limited period of time. It is inspected by Huntley Station's operations department during use but is not under the supervision of a PE.

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?

The condition of the equalization unit is assessed by the wastewater facility operator on a daily basis with regard to operational safety. Any observed issues are brought back to plant management. In the event of potential structural observations, HPL consults with its engineers experienced in this area or with external geotechnical engineers. No significant safety issues have been observed with respect to the basin during recent inspections. Plans are to continue with the daily inspection conducted by Huntley Station staff and perform assessments by a civil engineer as needed.

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.

The last annual SPDES inspection was performed on February 12, 2009 by a NYSDEC Water Division engineer, at which time no problems were observed for the system. At this time, HPL is not aware of any additional planned state or federal inspection or evaluation in the future.

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. Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.

Surface area: 1.576 acres; total capacity: 8.82 acre feet.

Approximately 2,400,000 gallons working capacity based on 15inches of freeboard.

The liquid volume of the South equalization unit varies based on coal pile runoff, which is related to precipitation events in the Huntley Station area. A nominal amount of ash related solids are present after boiler/precipitator washes, but solids are primarily coal fines.

There is currently an unknown amount of solid material in the unit.

The South equalization basin is fitted with a filter press for sludge removal to the Huntley Station landfill. The amount of sludge in the basin is not large enough for filter press operation. When necessary, sludge is removed from the basin by vacuum truck and incinerated in the boilers.

The berm height ranges from 0 feet (grade) to 3 feet.

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 unit in the last ten years.

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

The legal owner and operator is Huntley Power LLC.

ATTACHMENT C
South Settling Pond System
Huntley Electric Generating Station

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 does not have a rating, please note that fact.

The South settling pond system has no rating because it does not meet the applicability criteria of the Dam Safety Program. Non-hazardous waste surface impoundments that are part of an approved waste water treatment process (i.e., SPDES permit) are exempt from the Dam Safety Program. The South settling pond has an outlet berm with a submerged height of approximately 6.75 feet (based on a pond dredged depth of 6.5 feet), and a total height of 13.5 feet. The pond water surface and, hence the submerged depth of the outlet berm, is maintained at a constant elevation by a 92 inches by 65 inches corrugated drain pipe running through the berm. In the event of a failure of the outlet berm, combustion waste could be discharged offsite to the Niagara River. The South settling pond overflow discharge is regulated by the NYSDEC as part of the SPDES permit.

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

The in-service date for the settling pond system is unknown. The last modification was performed in 1976 when the outlet channel was relocated for the Erie County Raw Water Intake.

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).

The South settling pond system is a surface pond collection system used to collect materials in categories (1), (2), and (3), including bottom ash and slag from the bottom ash and slag handling systems and minor amounts of fly ash from roadway wash down from the vicinity of the fly ash silo. Bottom ash is dredged at the inlet almost weekly, and the remaining areas of the pond are dredged periodically. Fly ash accumulates in the South settling pond between dredging.

4. Was the management 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 South settling pond was designed by Malcom Pirnie and the drawings have a PE stamp. HPL does not have detailed records on the construction of this unit, and cannot ascertain readily who supervised the construction of this unit for NIMO.

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?

The condition of the South settling pond system is assessed by Huntley Station personnel during periodic (monthly) sampling of the discharge. No significant safety issues have been observed with respect to the settling ponds during recent inspections. HPL plans to continue with monthly inspections conducted by Huntley Station staff and to perform an assessment by Huntley Station engineering staff. Because of the significance of this impoundment, a subsurface investigation of the outlet berm, consisting of three soil borings, was conducted in April 2009. The purpose of this investigation was to determine the soil materials used in the berm construction and the engineering properties for the soils. Based on the findings of this geotechnical investigation, the need for additional evaluation of the outlet berm will be determined.

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.

The last inspection and walkthrough of the South settling pond system was performed on February 12, 2009 by a NYSDEC Water Division engineer during a SPDES inspection, at which time no problems were observed for the system. At this time, HPL is not aware of any additional planned state or federal inspection or evaluation in the future.

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.

None.

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. Please provide the maximum height of the management unit(s). The basis for determining maximum height is explained later in this Enclosure.

Surface area: 7.3 acres; capacity: 47.5 acre feet based on a dredged depth of 6.5 feet below the discharge pipe invert.

Approximately 15,500,000 gallons total capacity.

Currently, the South settling pond contains approximately 7,500 cubic yards of solid material based on a January 7, 2009 hydrographic survey and typical solid buildup.

The South settling pond consists of one pond discharging via pipe to an outfall that is regulated under the NYSDEC SPDES permit program. The submerged berm height at the outfall is 6.75 feet. The remaining edges are at grade. Under the SPDES permit, water discharge from the pond is monitored monthly for total suspended solids.

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 settling pond in the last ten years.

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

The legal owner and operator is Huntley Power LLC.