

US EPA ARCHIVE DOCUMENT



May 18, 2009

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

Re: Westar Energy, Tecumseh Energy Center
Reply to Request for Information Under Section 104 (e) of the Comprehensive
Environmental Response, Compensation, and Liability Act, 42 U.S.C. 9604(e)

Dear Mr. Kinch,

Enclosed is Westar Energy's Tecumseh Energy Center response to the recently received information collection request. The response details the applicable coal combustion waste management units and provides Westar's response to each question in the request.

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.

Sincerely,

Paul J. Wallen
Plant Manager

Cc w/o enclosure: C. Swartzendruber, Topeka GO

Based on the recently received information collection request (ICR) concerning coal combustion waste (CCW) surface impoundments and similar diked or bermed management units, Westar Energy's Tecumseh Energy Center (Westar) is providing this response with respect to the applicable areas at the facility. Based on the past and current operational scheme of the plant, the areas deemed applicable to this request are the NPDES Ash Ponds and Clear Pond. The aerial photograph attached as Figure 1 provides an overview of the site CCW waste management areas.

In general, the facility sluices CCW from the boilers to the NPDES Ash Ponds where waste is temporarily staged prior to de-watering and transport to the dry ash landfill on-site. The site has one active dry landfill permitted with the Kansas Bureau of Waste Management. No CCW is permanently stored in wet surface impoundments at the Tecumseh Energy Center. Water removed from the waste travels to the Clear Pond and is discharged at a permitted NPDES outfall.

The ten questions from EPA's ICR appear below followed by Westar's response. Attachments in support of the responses are included according to the following table.

Attachment	Management Unit	Attachment Description
1	Overall Site	Aerial Photograph
2	Area 1	Tecumseh Ash Pond Modification
3	Area 2	Tecumseh 1984 NPDES Drawing

1. Relative to the National Inventory of Dams criteria for High, Significant, Low, or Less than Low Hazard Potential, please provide the rating for each management unit and indicate which State or federal regulatory agency assigned that rating. If the unit does not have a rating, please note that fact.

The CCW temporary staging ponds at Tecumseh Energy Center do not have traditionally defined dams. At construction, the ponds were excavated from grade and a minimal height berm was constructed around the perimeter. Do to the nature of the ponds, the berm has not been evaluated by any state or federal regulatory agency and no rating has been established.

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

The staging ponds at Tecumseh were constructed at different times. Referencing the areas identified in Attachment 1, construction estimates are as follows:

Area	Year of Construction	Year of Modification
1	*	1980
2	1984	NA

*Original construction date is undocumented.

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 NPDES Ash Ponds are used for staging only. There is no permanent disposal of material in these ponds. Materials that may be staged in the NPDES Ash Ponds include bottom ash, fly ash, and boiler slag. In addition, the plant uses the ponds to stage and dry sediment from incoming river water that collects in the settlement basins and the cooling tower. Following drying, all materials are permanently contained in the on-site dry landfills.

The Clear Pond is not used for temporary or permanent disposal of CCW. It contains only water removed from the NPDES Ash Ponds. This water is then discharged out the permitted NPDES outfall.

4. Do you have a Professional Engineer's certification for the safety (structural integrity) of the management unit(s)? Please provide a copy if you have one. If you do not have such a certification, do you have other documentation attesting to the safety (structural integrity) of the management unit(s)? If so, please provide a copy of such documentation.

Each CCW temporary storage area at the Tecumseh facility was constructed to an engineered design. Attachments 2 and 3 provide the designs for each area. However, Westar is not currently in possession of the PE stamped designs for any of the temporary storage areas.

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?

As previously described, the NPDES Ash Ponds and Clear Pond were constructed by excavation from grade. The site has not assessed the structural integrity of the perimeter berm as risk of any failure is extremely low. In response to this request, Westar plans to complete an engineering evaluation of pond/berm integrity in 2010.

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.

Westar has no knowledge of site inspections relating to berm structural integrity.

Westar isn't aware of any planned state or federal site inspections.

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.

To Westar's knowledge, there have been no on-site inspections or evaluations of berm structural integrity conducted by State or Federal officials in the past year.

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

Approximate surface area, capacity, and the most recently calculated volume for each unit is included in the following table.

Management Unit	Surface Area (acres)	Total Capacity (acre-ft)	Current Volume CCW Stored	
			(acre-ft)	(Date of Measurement)
Area 1	2.0	20	*	*
Area 2	1.0	12	*	*

*Storage in these areas is temporary in nature and varies from no storage to total capacity dependent on current plant operations.

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 are no known spills or unpermitted releases from any of the units in the last ten years. The Clear Pond is permitted to discharge water through an NPDES permitted outfall. Westar interprets any releases under this permit allowance to be outside the scope of this request.

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

The current owner and operator of the Tecumseh Energy Center is Westar Energy, Inc.