



Duke Power

Group Environment, Health & Safety
13339 Hagers Ferry Road
Huntersville, NC 28078-7929

July 8, 1998

William Hocutt
North Carolina Department of Environment,
Health and Natural Resources
Solid Waste Section
P.O. Box 27687
Raleigh, NC 27611-7687



SUBJECT: Marshall Steam Station
Structural Fill Closure Requirement & Recordation
Record Number: 006021MS

Mr. Hocutt:

In accordance with Section .1706(d) of the Solid Waste Management Rules for the Beneficial Use of Coal Combustion By-Products, please find attached a "Closure Certification" for the coal ash structural fill project identified as Marshall Steam Station (Road) as listed on the NC Solid Waste Section's list of "Coal Ash Structural Fills". In addition, a copy of the "Recordation Statement" is also included.

If you have any questions concerning these documents, please contact me at 704-875-5956.

L. D. Evans, CHMM
Scientist
Environmental Division - Waste Management

LDE/07982

Attachments



Duke Energy Corporation
Ash Management
400 South Tryon Street
P.O. Box 1002
Charlotte, NC 28201-1002
(704) 382-4568 FAX

June 25, 1998

North Carolina Department of Environment, Health and Natural Resources
Division of Solid Waste
P.O. Box 29603
Raleigh, NC 27611-9603

Attention: Mr. Bill Hocutt
Mr. James C. Coffey

Subject: Certificate of Compliance
NCDEHNR Solid Waste Management Rule 15A NCAC 13B Section
.1706 Requirements for Beneficial Use of Coal Combustion By-Products

Gentlemen:

This document shall serve as notice that the Marshall Station Ash Road within the ash basin area owned by Duke Power Company located on NC Highway 150 in Terrell, NC has been developed with silo ash provided from the same station.

Whereas, this project contains 127,982 cubic yards of silo ash as shown on attached drawing/request number 101953 recorded by the Catawba County Register of Deeds.

Whereas, this document is provided as evidence of compliance with all the requirements of NCDEHNR Solid Waste Management Rules 15A NCAC 13B Section .1700 and specifically to meet Section .1706 Closure of Structural Fill Facilities, part (d).

signed  date 6/25/98

NC PE seal:



cc: Jeff Newell
Larry Evans

STATE OF NORTH CAROLINA

STATEMENT OF ENGINEERED ASH FILL

COUNTY OF CATAWBA

The undersigned, Duke Energy Corporation in accordance with the provisions of N.C.G.S. 130A-294 and 15A NCAC 13B.1703, acknowledge that it is the owner of the real property located in Mountain Creek Township, Catawba County, North Carolina, and more specifically described on Topographic Map Plat Request No. 101953 attached hereto.

The undersigned further acknowledge that coal combustion products were beneficially utilized as engineered ash fill on the real property described on Topographic Map Plat Request No. 010953. The volume of coal combustion products more specifically defined as silo ash placed within the ash road project is approximately 127,982 cubic yards or 106,652 tons.

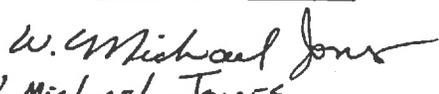
IN WITNESS WHEREOF, said parties have hereunto set their hand and have caused this instrument to be signed this 30TH day of JUNE, 1998.

 (SEAL)
LARRY G. BOST
DUKE ENERGY CORPORATION

STATE OF NORTH CAROLINA

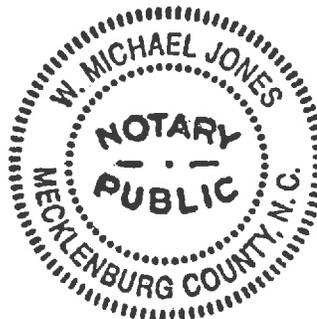
COUNTY OF MECKLENBURG

I, Notary Public for the County and State aforesaid do hereby certify that Larry G. Bost personally appeared before me and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal this the 30TH day of JUNE, 1998.


W. MICHAEL JONES
NOTARY PUBLIC

My Commission Expires:

My Commission Expires July 17, 2000



ASSISTANT SECRETARY CERTIFICATE

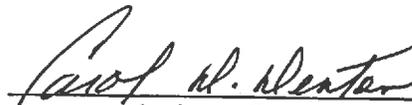
I, Carol D. Denton, Assistant Secretary of Duke Energy Corporation, do hereby certify that the following is a true and correct excerpt of a Resolution adopted September 22, 1997, by the Management Committee of the Board of Directors of Duke Energy Corporation, and that said quoted Resolution has not been rescinded or amended.

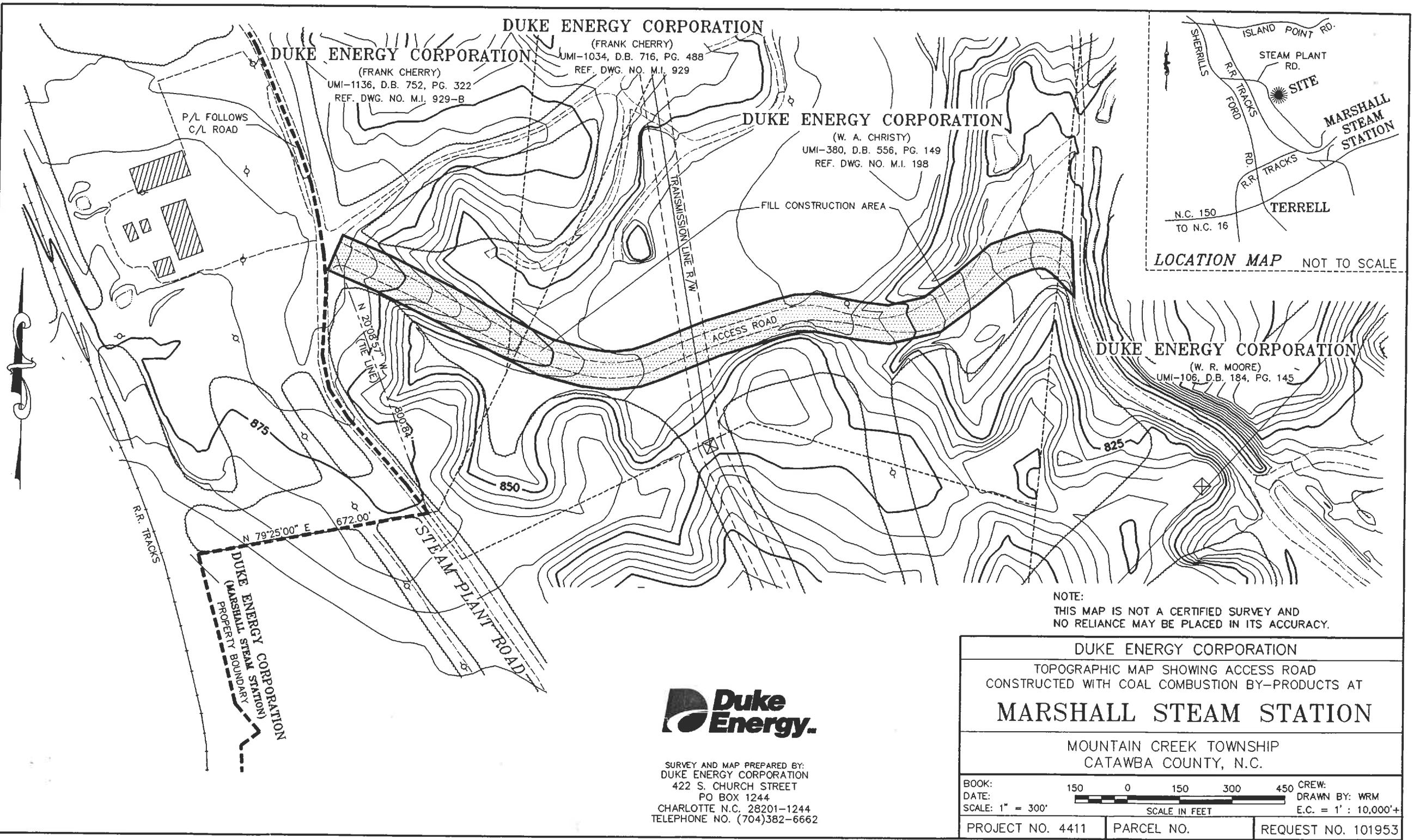
FURTHER RESOLVED, that the General Manager of the Facility and Real Estate Services Division be and hereby is authorized to execute any contract, lease, deed, or other instrument relating to real property without further action or approval by the Board of Directors or this Committee when deemed by said General Manager to be necessary or desirable in the operation of the Company's business, subject, however, to a monetary limit of \$1,500,000.00 consideration or value in any single transaction, and to execute such documents in any such transaction which is approved by a resolution of this Committee.

FURTHER RESOLVED, That the Secretary or any Assistant Secretary be and hereby is authorized to attest and affix the corporate seal to any contracts, leases, deeds, or other instruments executed under authority of this resolution and may execute any certificate that may be required to certify the incumbency and authority of the officer or manager executing such documents.

I further certify that on July 7, 1998 Larry G. Bost was the General Manager, Facility and Real Estate Services Division, and by reason of holding said position and pursuant to the above quoted Management Committee's Resolution, had full authority to represent and act on behalf of Duke Energy Corporation with respect to the execution of a Statement of Engineered Ash Fill for Duke Energy Corporation for 127,982 cubic yards of ash filled access road in Catawba County, North Carolina and to execute on behalf of Duke Energy Corporation all documents and instruments relating in any way thereto.

WITNESS my hand and seal of said Company this 7 th day of July, 1998.


Assistant Secretary



DUKE ENERGY CORPORATION
 (FRANK CHERRY)
 UMI-1034, D.B. 716, PG. 488
 REF. DWG. NO. M.I. 929

DUKE ENERGY CORPORATION
 (FRANK CHERRY)
 UMI-1136, D.B. 752, PG. 322
 REF. DWG. NO. M.I. 929-B

DUKE ENERGY CORPORATION
 (W. A. CHRISTY)
 UMI-380, D.B. 556, PG. 149
 REF. DWG. NO. M.I. 198

DUKE ENERGY CORPORATION
 (W. R. MOORE)
 UMI-106, D.B. 184, PG. 145

NOTE:
 THIS MAP IS NOT A CERTIFIED SURVEY AND
 NO RELIANCE MAY BE PLACED IN ITS ACCURACY.



SURVEY AND MAP PREPARED BY:
 DUKE ENERGY CORPORATION
 422 S. CHURCH STREET
 PO BOX 1244
 CHARLOTTE N.C. 28201-1244
 TELEPHONE NO. (704)382-6662

DUKE ENERGY CORPORATION		
TOPOGRAPHIC MAP SHOWING ACCESS ROAD CONSTRUCTED WITH COAL COMBUSTION BY-PRODUCTS AT		
MARSHALL STEAM STATION		
MOUNTAIN CREEK TOWNSHIP CATAWBA COUNTY, N.C.		
BOOK:	150 0 150 300 450	CREW:
DATE:		DRAWN BY: WRM
SCALE: 1" = 300'	SCALE IN FEET	E.C. = 1' : 10,000'+
PROJECT NO. 4411	PARCEL NO.	REQUEST NO. 101953

DUKE ENERGY CORPORATION

(FRANK CHERRY)

UMI-1034, D.B. 716, PG. 488

REF. DWG. NO. M.I. 929

DUKE ENERGY CORPORATION

(FRANK CHERRY)

UMI-1136, D.B. 752, PG. 322

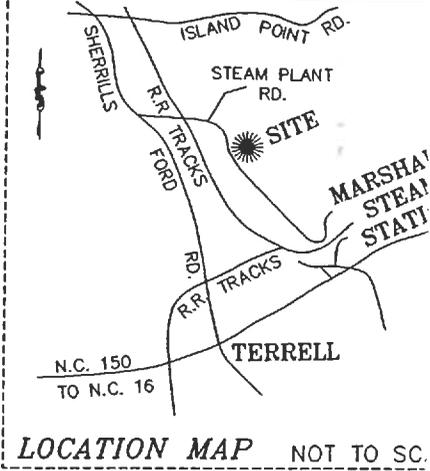
REF. DWG. NO. M.I. 929-B

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(W. A. CHRISTY)

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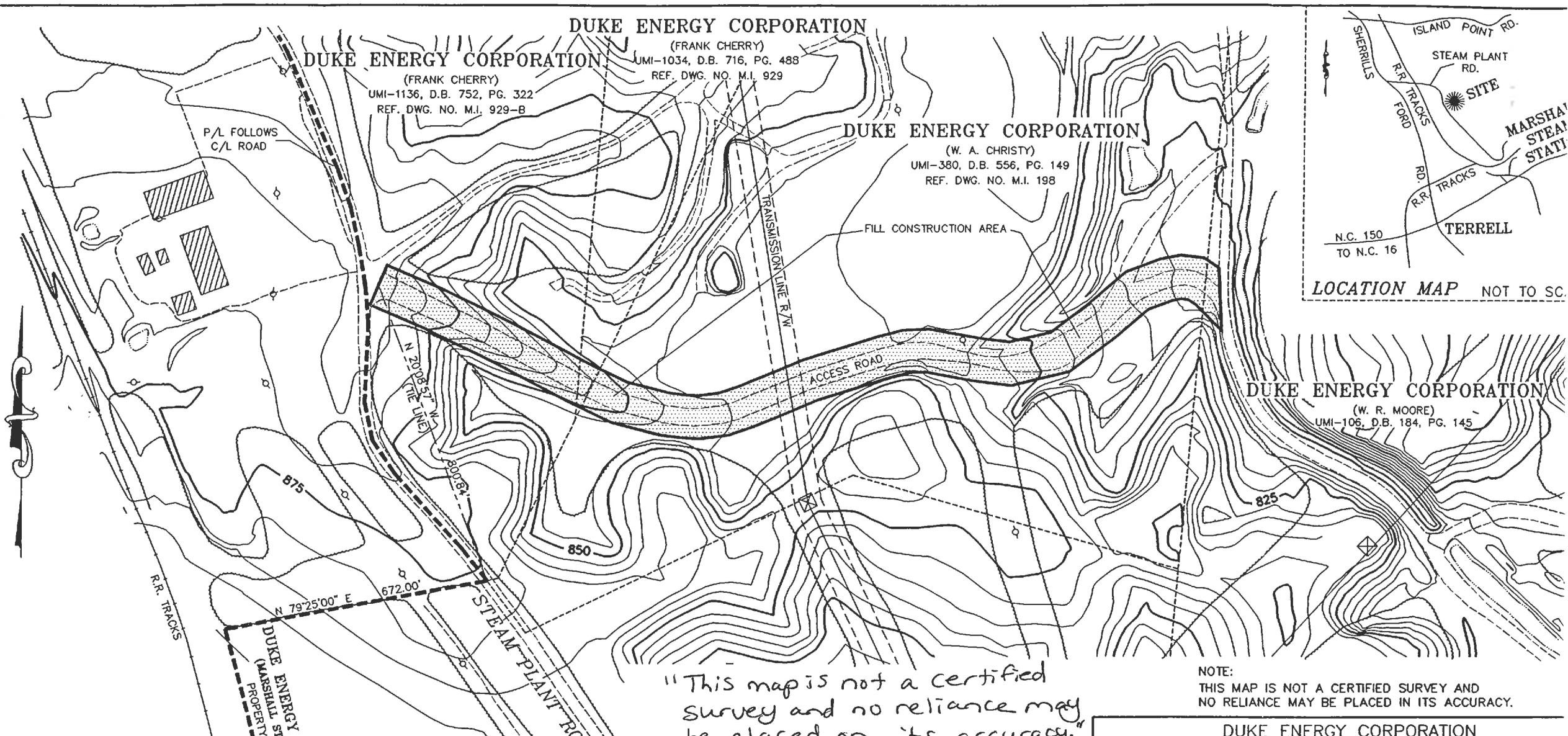
REF. DWG. NO. M.I. 198



DUKE ENERGY CORPORATION

(W. R. MOORE)

UMI-106, D.B. 184, PG. 145



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**STATE OF NORTH CAROLINA
COUNTY OF CATAWBA**
I, Linda P. Harris, Review Officer of Catawba County,
certify that the map or plat to which this certification is
affixed meets all statutory requirements for recording.

Date: 7-6-98
Kathy T. Drum
REVIEW OFFICER
for Linda P. Harris



SURVEY AND MAP PREPARED BY:
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422 S. CHURCH STREET
PO BOX 1244
CHARLOTTE N.C. 28201-1244
TELEPHONE NO. (704)382-6662

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TOPOGRAPHIC MAP SHOWING ACCESS ROAD CONSTRUCTED WITH COAL COMBUSTION BY-PRODUCTS AT		
MARSHALL STEAM STATION		
MOUNTAIN CREEK TOWNSHIP CATAWBA COUNTY, N.C.		
BOOK:	150	CREW:
DATE:	0	DRAWN BY: WR
SCALE: 1" = 300'	150	E.C. = 1' : 10'
SCALE IN FEET		
PROJECT NO. 4411	PARCEL NO.	REQUEST NO. 101