



NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

August 18, 2006

Mr. Pat McCabe, P.E.
Environmental Support
Duke Power
526 S. Church Street
EC10A / PO Box 1006
Charlotte, NC 28201-1006

RE: Duke Energy, Marshall Steam Station, FGD Scrubber Residue Landfill - Phase 1. Request to Use Bottom Ash in the Operation Cover/Leachate Collection Layer, Catawba County, NC Permit No. 18-09

Dear Mr. McCabe,

According to the recent written request by you on behalf of Duke Energy, written on August 7, 2006, to the Solid Waste Section (SWS), it states in part; that "based on particle size studies (of on-site stockpiled soils), no suitable soils are available that would not cause significant clogging with the liner system's 8 oz non-woven geotextile. As a result, Duke Energy is proposing to use bottom ash generated at the Marshal Steam Station in lieu of soil" in the operational cover layer of the FGD Scrubber Residue Landfill.

The Solid Waste Section has reviewed the bottom ash information submitted with the above referenced letter and hereby approves the use of bottom ash as a substitution for the previously approved soil in the operational cover layer. Please document the quantity of ash used and verify the depth of the operational cover clearly. Please submit this information along with the CQA documents following completion of the landfill construction. Upon review and approval of the CQA documentation, the SWS will incorporate the bottom ash substitution request into the list of approved documents for the facility permit.

If you have any questions or comments, please contact myself or Tim Jewett at (919)-508-8495 or (336)-771-5094, respectively.

Sincerely,

Ed Mussler, Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management

cc: Brian Wootton Solid Waste Section Geoff Little Solid Waste Section
Tim Jewett Solid Waste Section Central File