



North Carolina Department of Environment and Natural Resources

Division of Waste Management

Dexter R. Matthews

Director

Beverly Eaves Perdue  
Governor

Dee Freeman  
Secretary

SOLID WASTE SECTION

August 9, 2011

Mr. Ed Sullivan  
Duke Energy Corporation  
EC13K/ Post Office Box 1006  
Charlotte, North Carolina 28201-1006

Subject: Operations Plan – Approval Letter  
Duke Energy Corporation – Marshall Steam Station  
Industrial Landfill No. 1, Permit No. 1812  
Catawba County, DIN 14771

Dear Mr. Sullivan:

On August 4, 2011 the Division of Waste Management (Division) received Duke Energy's proposed Operations Plan, with cover letter, entitled;

- *Operations Plan, Industrial Landfill No. 1, Permit No. 1812, Marshall Steam Station, Terrell, North Carolina, S&ME Project No. 1356-08-122.* Prepared for Duke Energy. Prepared by S&ME. November 24, 2009, Revised February 3, 2010, Revised February 28, 2011, Revised August 3, 2011. DIN 14706.

The proposed Operations Plan includes revisions to the current approved Operations Plan for Duke Energy's Marshall Industrial Landfill No. 1, specifically;

- The proposed Operations Plan text and figures provide more general filling guidance for the Facility.
- The proposed Operations Plan provides a Dust Control Plan that would replace the current approved cover requirements for the Facility.
- And the proposed Operations Plan requests the addition of sand blast material, ball mill rejects, coal waste, and pyrites to the approved list of materials that may be disposed of in the Landfill Facility.

The Division has reviewed the proposed Operations Plan and approves the immediate implementation of the Plan as submitted. For all intents and purposes the now revised Plan (DIN 14706) is, from this date, considered a current approved document. The Facility shall operate in accordance with the revised Operations Plan until the current Permit is either amended or modified; at that time the revised Plan or a subsequent revision of the Plan will be included as an approved document in the facility's Permit to Operate.

The revised Operations Plan includes a more effective method for controlling dust emissions (referenced as the Dust Control Plan) therefore Attachment 3, Part I, Condition 6 of the current Permit to Operate is considered to be no longer in effect. The Facility will not be required to exclusively apply six (6) inches of soil cover weekly to the working face for dust control, nor will the Facility be required to demonstrate alternative



Page 2  
Marshall Steam Station  
August 9, 2011

cover materials in the future. Furthermore, once the current Permit is either amended or modified Attachment 3, Part I, Condition 6 of the current Permit will be removed.

All documents referenced in this letter may be accessed and downloaded from the Division's website <http://portal.ncdenr.org/web/wm/sw>. Should you have any questions regarding this matter contact me at (828) 296-4704 or [larry.frost@ncdenr.gov](mailto:larry.frost@ncdenr.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Frost".

Larry Frost  
Environmental Engineer

cc: Donna Burrell – Duke Energy/Marshall Steam Station  
Chris Ussery – Duke Energy  
Deb Aja – SWS/ARO  
Ken Daly – S&ME