Michael F. Easley, Governor

William G. Ross Jr., Secretary
North Carolina Department of Environment and Natural Resources

Coleen Sullins Director
Division of Water Quality

Permit No.	Date	Document ID No.
36-12	**September 25, 2007**	**5639** was 3103

September 24, 2007

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MR. LARRY FROST.
REGIONAL ENGINEER - DWM
2090 US HIGHWAY 70
SWANNANOA, NORTH CAROLINA 28778

Subject: Permit No. WQ0000452
Duke Energy Carolinas, LLC
Duke Energy Ash Distribution Program
Distribution of Residual Solids (503 Exempt)

Dear Mr. Frost:

The Division received a request to comment on the proposed use of coal combustion products (CCP) generated at the Duke Power Company LLC - Allen Steam Station facility, as part of a test site to determine the feasibility of using the CCP as base material for the construction of a proposed landfill.

Use of the CCP is allowed under the conditions established in permit WQ0000452, issued April 5, 2007 with an expiration date of January 31, 2011. Condition II 2.b. of the permit lists the approved uses of the material, which include the following for both bottom ash and fly ash:

- Structural/engineered fill (i.e. engineered fill that is properly placed and compacted) for embankments, foundations, construction foundations, and for bases/ sub-bases under a structure or a footprint of a paved road, parking lot, sidewalk, walkway, or similar structure.

- Daily, intermediate, and final cover as well as any other use at a landfill as approved by the NC Division of Waste Management.

Therefore, the proposed uses of the CCP at the test site and as base material for a landfill are approved uses provided that the conditions of the permit are met. If you need any additional information concerning this matter, please contact Jon Risgaard by telephone at (919) 715 6167, or via e-mail at jon.risgaard@ncmail.net.

Sincerely,

Jon Risgaard.

cc: Allen Stowe, Duke Energy Corporation PO Box 1006 Charlotte, NC 28201-1006
Moorsville Regional Office-Aquifer Protection Section
APS Central Files