

State of North Carolina
Department of Environment,
Health and Natural Resources
Division of Waste Management

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
William L. Meyer, Director

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|------------------|---------|-----------|
| CCB0069 | 8/11/11 | DIN 14819 |



June 19, 1997

Mr. Larry Evans
Electric System Support
Duke Power Company
13339 Hagers Ferry Road
Huntersville, NC 28078-7929

Subject: Coal fly ash structural fill in an abandoned sand filter system at Duke Power Company's Belews Creek Steam Station site in Stokes County. The project is scheduled to begin upon receipt of this acknowledgement (approximately June 19, 1997).

Dear Mr. Evans:

We are in receipt of your June 6, 1997 notification for constructing the subject structural fill estimated to be completed by June 30, 1997. The information submitted satisfies the requirements for coal ash structural fill activities as set forth in Solid Waste Management Rules 15A NCAC 13B Section .1700 concerning beneficial use of coal combustion by-products.

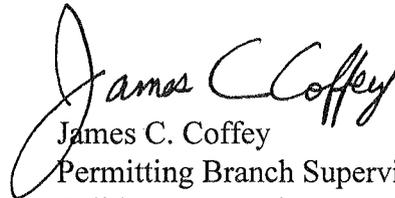
As previously agreed to between Duke Power and the Solid Waste Management Division, Duke Power is accepting the responsibility of informing the landowner(s) of their responsibility should any groundwater contamination occur due to structural fill activity. In the subject project, Duke Power is the landowner and this communication is automatic.

Please understand that the Division of Waste Management is continuing to interpret the .1700 Rules as in the past and has not altered its interpretation of the rules even though your company is insisting that the Division alter its position on this matter. Therefore, this project is to be treated by the Division the same as previous projects have been treated. This particular project will not require recordation since it involves less than 1,000 cubic yards of coal combustion by-product. However, when Duke Power issues the required closure certification upon completion of the project, the P.E. signing and sealing the certification will be certifying that this project was done according to Section .1700 Rules in its entirety.

Mr. Larry D. Evans
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Please telephone me at (919) 733-0692, ext. 255 or Bill Hocutt at ext. 260 if you have any questions.

Sincerely,


James C. Coffey
Permitting Branch Supervisor
Solid Waste Section

cc: Bill Hocutt
Hugh Jernigan
Julian Foscue

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