

North Carolina
Department of Environment and Natural Resources

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary
Dexter R. Matthews, Director



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June 18, 2003

Mr. Allen Stowe
Duke Energy Corporation
PO Box 1006
Charlotte, North Carolina 28201-1006

Subject: 30 April 2003 Letter of Notification of the Proposed 20+/- Acre Coal Combustion By- Products (CCBP's) Structural Fill and Revised 11 June 2003 Letter to be Located on SR 1908 in Stokes County. The Project is Planned to Begin Approximately July 2002 with an Estimated Completion Date of June 2007.

Dear Mr. Stowe:

Your subject letter of notification was received by the Division of Waste Management on 8 May 2003. Please refer to Rule .1702 which states that a solid waste management permit is not required for coal combustion by-products structural fills which meet the requirements listed in this section. Instead, the Division issues Letters of Acknowledgment informing the Notifier the submitted information indicates that the project will comply with the .1700 Rules when constructed as proposed.

The information, submitted by Shield Engineering, Inc. on your behalf, along with the subject Notification has been reviewed and has been found to indicate that the proposed fill satisfies the .1700 Rules. However, please note Rule .1706(d). Prior to placing any ash in the site, you should retain a registered NC professional engineer who can certify at the completion of the project that all requirements of the rules of this section have been met. This, of course, requires that he have knowledge of the site prior to the placement of any ash, which includes confirmation that the coal ash footprint is excavated no deeper than twelve inches from original grade. Likewise, he must observe the progress during construction so that he can stamp and submit a certifying report after closure stating that all of the .1700 Rules have been satisfied.

1646 Mail Service Center, Raleigh, North Carolina 27699-1646

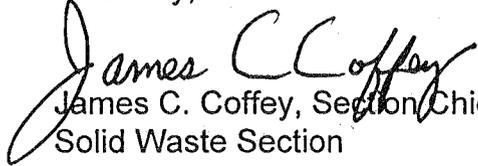
Phone: 919-733-0692 \ FAX: 919-733-4810 \ Internet: www.enr.state.nc.us

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Please be aware that analysis of groundwater samples collected from monitoring wells located at a North Carolina coal ash structural fill site revealed that levels of sulfate and arsenic were elevated above the background well values and exceeded the 15A NCAC 2L Standards. It was later found that **the ash had been placed in the groundwater at this site** and the ash has been subsequently removed. The Division of Waste Management strongly recommends that you retain the services of a qualified hydrogeologic consulting firm to assist you in determining the vulnerability of the groundwater at your site based on site attenuation, waste extractability and end use to inhibit infiltration. Depending on vulnerability, you can then consider installation of groundwater monitoring wells before commencing fill operations.

A copy of this letter is being faxed to your office and a hard copy is being mailed under separate cover. If you have any questions, please contact Jim Barber at (919)-733-0692, extension 255 or Elizabeth Stewart at extension 346.

Sincerely,


James C. Coffey, Section Chief
Solid Waste Section

cc: Jim Barber
Hugh Jernigan
Tim Jewett
Brent Rockett
Mark Poindexter
Elizabeth Stewart
Raleigh Central file: Stokes County, Coal ash fill