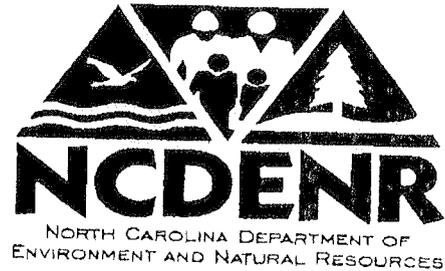


Jim Barber

B. 11.11

State of North Carolina  
Department of Environment  
and Natural Resources  
Raleigh Regional Office



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

THE DIVISION OF WASTE MANAGEMENT

June 20, 2001

Mr. Quinn Morrison  
Roanoke Valley Energy  
P. O. Box 351; Railroad  
Street; Weldon, NC 27890



Re: **Warning Letter**  
**J.S. Turner Saw Mill Site Fly Ash Fill**  
**Structural fill Project**  
**Halifax County**

Dear Mr. Morrison:

This letter is written concerning the status of the J.S. Turner Saw Mill Site fly ash Monofill site project number 800 located in Weldon, N.C. The following is a list of the facts concerning the site.

On May 16, 2001, I visited the Turner Sawmill site and observed that fly ash appeared to have been filled outside of the footprint indicated on the approved plan dated March 26, 2001. I also observed that soil had been excavated to a depth of at least 10 feet from the original surface elevation at the base of the fill area. This excavation was on the north side of the fill area near the haul ramp.

On May 22, 2001, I met with Bill Hocutt and Jim Barber and discussed the facility. Mr. Hocutt indicated that there have been several revisions to the original plan submitted and that none of the submitted plans may accurately reflect the conditions on the site.

On May 31, 2001, Bill Hocutt, Jim Barber, Mark Fry and I met Mr. Job S. Wommack property owner, Mr. E.B. Grant Jr. facility engineer, Ms. Maggie Estrada, Power Project Manager Environmental Services LG&E and you at the above referenced facility. This meeting was held to discuss these conditions found on the May 16, 2001, visit. During this visit it was revealed that certain conditions found in 15A NCAC 13B .1703 **NOTIFICATION FOR STRUCTURAL FILL FACILITIES** were not met. Specifically:

- The soil had been excavated under the area of the fill footprint to a depth of as much as 17 feet from the original surface. The submitted plans did not indicate that any soil excavation was to occur under the fill area.

Mr. Morrison  
June 20, 2001  
Page 2

- The final elevations of the fill area were not consistent with the final approved plan.
- The footprint and elevations of the fill area was not consistent with the final submitted plans.
- Specified side slopes of three to one may have been exceeded in some areas.

**15A NCAC 13B 1704 SITING FOR STRUCTURAL FILL FACILITIES (3)** requires that Coal combustion by-products used as structural fill shall not be placed "Within two feet of the seasonal high water table". Excavation of up to seventeen feet of soil in the area of the fill footprint may have resulted in fly ash being applied within the two feet of the seasonal high water table.

In order to bring the site into compliance with requirements of **15A NCAC 13B SECTION .1700 REQUIREMENTS FOR BENEFICIAL USE COAL COMBUSTION BY-PRODUCTS** by July 26, 2001, submit to Bill Hocutt:

1. Site plans that accurately reflect the footprint, the final contours and final elevations of the fill area.
2. Submit information to determine if there is two feet of separation between the fly ash fill and the seasonal high water table under the fill area.

If fly ash has been land applied within two feet of the seasonal high water table in the fill area, further action may be required to determine any impact this fill may have had on the ground water.

If you have any questions regarding this matter, please contact me at (919)571-4700.  
Thank you for your cooperation.

Sincerely,

Ben Barnes  
Waste Management Specialist  
Solid Waste Section

cc: Phil Prete, Field Operations Branch Head  
Mark Fry, Eastern Area Supervisor  
Bill Hocutt, Environmental Chemist  
Mr. Job S. Wommack; Wommack and Sons, Inc.; c/o The Plumblin Corp.; 121  
Washington Ave.; Weldon, NC 27870  
Mr. E. B. Grant, Jr., P.E.; The Plumblin Corporation P.A.; 121  
Washington Ave.; Weldon, NC 27870  
Mr. Quinn Morrison; Roanoke Valley Energy, P. O. Box 351; Railroad  
Street; Weldon, NC 27890  
Ms. Maggie T. Estrada, Project Manager, Environmental Services; LG&E  
Power; 575 Anton Blvd., Suite 250;  
Costa Mesa, CA 92626

Jim Coffey  
Jim BARBER  
Tim JEWITT WSR0