



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

March 20, 2017

Mr. Norman Divers
Charah LLC.
Post Office Box 287
Belmont, North Carolina 28012

RE: Report on CCP from Riverbend Steam Station, PCB notification.

Dear Mr. Divers,

This letter is the follow up to my email of March 15th, 2017. On Monday, March 13th Mr. Rob Reynolds of Charah called me to notify the state that samples of coal ash from the excavation at Riverbend had tested positive for polychlorinated biphenyl (PCB) albeit at levels less than 1 ppm. Charah filed, at my request, an incident report and supplied the lab results in question on March 15, 2017.

Duke Energy is providing the sampling of the material being excavated. The lab report Charah supplied with the incident report indicated that the samples were prepared and tested using EPA's SW 846 method 3546 (microwave extraction). The coal combustion products (CCP) are shipped by rail to the Charah structural fill in Brickhaven, Chatham County. Mr. Reynolds indicated that no previous samples had detected PCB's. He stated that all shipments had been temporarily suspended and that further testing was occurring out in front of the excavation.

PCB is regulated under the Toxic Substance and Control Act (TSCA). On March 14th I spoke with Mr. Ken Feely of the US EPA, Region IV, Atlanta, GA. Mr. Feely is the EPA Team Lead for TSCA and has experience with implementing and enforcing PCB regulations under TSCA. Mr. Feely confirmed that the level for unrestricted use of soil from PCB remediation waste was less than 1 ppm.

At this time it has not been determined what type of PCB material we are dealing with. It could be a regulated waste or a remediation waste. The determination is complex and dependent on several factors including age and origin of the PCB material. Should test results indicate possible PCB contamination that exceeds 1 ppm, then further discussions about the appropriate disposition of the material will need to be held.

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Any material testing higher than 1 ppm should not be sent to the structural fill project in Brickhaven. It should be segregated and held for final determination.

After review of the incident report and accompanying testing reports I notified Charah, by email, of our concurrence and the approval for resumption of shipment of CCP to Brickhaven. I also provided the report and tests to Mr. Feely.

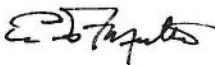
The Solid Waste Section requests additional information from Charah; Please provide:

- A description of the original testing protocol including frequency, lab method of extraction and analysis, and total number of tests performed to date.
- A description of the revised testing protocol including frequency, lab method of extraction, and analysis.
- An estimation of the amount of material removed to Brickhaven to date and the amount of material remaining that is scheduled to go to Brickhaven.
- The contact information for a Duke Energy representative that can speak to the history of the PCB's at this facility.

Upon review of this information, it is likely we will request the appropriate parties enter into discussions with the goal of determining what type of material this would be, waste or product, should test levels exceed the unrestricted use levels of 1 ppm and verify the appropriate test methods to be using, as well as specify the alternative handling scenarios, should they become necessary.

If you have any questions, please contact me. My phone number is 919-707-8281 and my email address is ed.mussler@ncdenr.gov. Thank you for your cooperation in this matter.

Sincerely,



Digitally signed by
Edward F. Mussler III P.E.
Date: 2017.03.20
08:15:21 -04'00'

Edward Mussler, Permitting Branch Supervisor
Solid Waste Section
Division of Waste Management

Cc: Rob Reynolds, Charah
Larry Frost, DWM
Shannon Aufman, DWM
Ellen Lorscheider, DWM