Message

From: Brett Ballavance (ALLETE) [bballavance@allete.com]
Sent: 10/12/2016 9:43:19 PM
To: Jackson, Mary [Jackson.Mary@epa.gov]
Subject: RE: BU documentation for Taconite Harbor facility
Attachments: First Sheets.jpg

Hello Mary. Just thought I'd let you know that final capping of the Taconite Harbor landfill started this week. The attached photo shows the first sheets of geomembrane being put down and attached to the geomembrane liner. The cap should be on by the end of the month. We needed that beneficial use ash to get the slopes ready for the geomembrane so it has all worked well. I'm looking forward to hearing back from the EPA on our request to remove the facility from the Open Dump List. If you have any questions let me know.

From: Brett Ballavance (ALLETE)
Sent: Wednesday, October 05, 2016 1:41 PM
To: 'Jackson, Mary'
Subject: RE: BU documentation for Taconite Harbor facility

I just left a message on this again but it said that our attorney is okay with completely waiving the CBI request. Go ahead and share the document within EPA and if a FOIA request is made for that document it is fair game material I guess. Thanks. Looking forward to more discussion on the beneficial use application at our Taconite Harbor facility. FYI that today our contractor is mobilizing equipment to that landfill to start the final capping project which will be completed this fall.
Brett

From: Brett Ballavance (ALLETE)
Sent: Thursday, September 29, 2016 11:34 AM
To: 'Jackson, Mary'
Subject: RE: BU documentation for Taconite Harbor facility

I just left you a message back saying that the act of Minnesota Power sending that memo to EPA means we are waiving the CBI for staff at EPA to review the information. However our attorney is saying the waiver does not apply to sending that memo outside of EPA. So that is the clarification on that. I hope that helps. Feel free to distribute that memo to others at EPA that should be reviewing it for CCR purposes but please don't send it outside of EPA. Thanks.

Brett

From: Jackson, Mary [mailto:Jackson.Mary@epa.gov]
Sent: Wednesday, September 28, 2016 1:27 PM
To: Brett Ballavance (ALLETE)
Subject: RE: BU documentation for Taconite Harbor facility

[ALERT – External Email – Handle Accordingly]

Brett,
I just left you a message with the wrong call-back number. I'm so sorry. Please give me a call when you get a chance to discuss your claim of confidential business information on your BU documentation.

Thanks,
Mary

Mary Jackson
Office of Resource Conservation & Recovery
Materials Recovery & Waste Management Division
Environmental Protection Agency
phone: 703-308-8453

From: Brett Ballavance (ALLETE) [mailto:bballavance@allete.com]
Sent: Friday, September 09, 2016 2:38 PM
To: Jackson, Mary <jackson.Mary@epa.gov>
Subject: RE: BU documentation for Taconite Harbor facility

Hello again Mary,

I just wanted to add some additional detail to what I meant when I referenced our diligent review and implementation of the CCR Rule, especially as it pertains to our beneficial use of CCR at Taconite Harbor. EPA, when describing the types of allowable unencapsulated beneficial uses of CCR, explained that such uses "are numerous and range, in total use, from hundreds of thousands of tons to millions of tons per year." EPA then gives examples of some of these uses, including, but not limited to, (1) flowable fill; (2) **structural fills**; (3) soil modification/stabilization; (4) waste stabilization/solidification; (5) use in agriculture as a soil amendment; and 6) aggregate." 80 Fed. Reg. at 21353 (emphasis added) (right hand column).

At Taconite Harbor, we made the decision to idle the units and begin closure activities. That closure required about 10,000 yards of structural fill to achieve the proper closure grades, which are needed to prevent infiltration of water, per our existing Solid Waste program administered through the Minnesota Pollution Control Agency (MPCA). The EPA definition for allowable unencapsulated uses, per the above language, is cornerstone of our decision to use of CCR to achieve those closure grades. Again, please note that this is material placed not for disposal, but in lieu of virgin material otherwise needed to achieve closure grades.

I hope this provides additional clarity on the regulatory basis for our actions at Taconite Harbor.

Brett

From: Brett Ballavance (ALLETE)
Sent: Thursday, September 08, 2016 4:12 PM
To: 'Jackson, Mary'
Subject: RE: BU documentation for Taconite Harbor facility

Hello Mary. Attached is the technical memorandum that was prepared by our consulting engineering group to support the beneficial use of coal ash for the closure of our Taconite Harbor facility's composite-lined landfill. Note that this memo has been labelled confidential because it contains confidential business information and thus should be treated as such.

As the memo indicates, we ceased disposal of CCR in the Taconite Harbor landfill on October 16, 2015. At that point, we began trucking CCR to our Laskin Energy Center's composite-lined ash impoundment. After determining the need for structural fill for closure at the Taconite Harbor landfill, we documented (via the attached memo) that we met the beneficial use criteria under the CCR rule. We began placing Taconite Harbor ash in the Taconite Harbor landfill for beneficial use on February 2, 2016. That closure activity continued until June 24, 2016. We did not exceed the 12,400 ton threshold for that beneficial use. After June 24, 2016 we resumed trucking Taconite Harbor ash to the Laskin Energy Center's composite-lined impoundment. That activity continues today. By the end of this month, all boilers at the Taconite Harbor facility will have been idled, and will not be producing coal ash. Construction of the engineered cap for the closure of the composite-lined Taconite Harbor landfill will begin this fall.

Mary, I hope that this information is sufficient to remove the Taconite Harbor facility from the draft open dump list. We have been very diligent in our review and implementation of this new federal CCR rule, and we feel our state-permitted, composite-lined landfill should not be on that list. If you have additional questions or concerns, please feel free to give me a call at the numbers listed below. Thanks.

Brett A. Ballavance, P.E.
Water Quality & Waste Management Manager
Minnesota Power - ALLETE
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30 West Superior Street
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Fax: 218/723-3916

From: Jackson, Mary [mailto:Jackson.Mary@epa.gov]
Sent: Wednesday, September 07, 2016 8:21 AM
To: Brett Ballavance (ALLETE)
Subject: FW: BU documentation for Taconite Harbor facility

[ALERT – External Email – Handle Accordingly]

Brett,
Did you forward your BU documentation? I don't think I received anything. Wanted to make sure I didn't miss it.

Thanks,
Mary

From: Jackson, Mary
Sent: Thursday, September 01, 2016 12:37 PM
To: 'bballavance@allete.com' <bballavance@allete.com>
Subject: BU documentation for Taconite Harbor facility

Brett,
I'm looking forward to receiving your information. Thanks, Mary