US Army Corps of Engineers
Wilmington District

John H. Kerr Dam and Reservoir
Eden, NC – Duke Energy Coal Ash Spill February 2014

Status of the John H. Kerr Dam and Reservoir and Eden, NC Coal-Ash Spill

CONGRESSIONAL DISTRICT: VA 5, NC 1, NC 5 Date: 6 March 2014

1. **PROJECT NAME AND STATE:** John H. Kerr Dam and Reservoir, Virginia

2. **LOCATION AND DESCRIPTION:** The John H. Kerr Dam is located in Mecklenburg County, Virginia, on the Roanoke River. The project extends into portions of Mecklenburg, Charlotte, and Halifax Counties in Virginia and Warren, Vance, and Granville Counties in North Carolina. The Reservoir stretches approximately 39 miles upstream of the dam on the Roanoke River and 19 miles upstream on the Dan River from its confluence with the Roanoke. The Reservoir is operated as a unit of a coordinated reservoir system for flood damage reduction in the Roanoke River Basin and provides generation of hydroelectric power and recreation opportunities. Other associated purposes include water supply and regulation of downstream water flow for subsequent hydroelectric plants, water quality, and fish and wildlife enhancement.

3. **ISSUE AND INFORMATION:** On February 2, 2014, while conducting a routine security inspection, security officials at the Duke Energy Plant, located adjacent to the Dan River in Eden, North Carolina, noticed a drop in the levels of the primary coal ash pond. Duke Energy's Environmental Division conducted a subsequent inspection and identified a coal ash release into the Dan River through a storm sewer management pipe. The pipe runs beneath the coal ash pond and drains rainfall off the facility. The pipe is not part of the ash management system. Initial efforts by Duke Energy to stop the flow were unsuccessful, and the North Carolina Department of Environment and Natural Resources (NCDENR) was notified of the release later in the day on February 2, 2014. Upon responding to the scene, NCDENR notified the United States Environmental Protection Agency (EPA) Region 4 and requested EPA assistance in the oversight of cleanup activities and two On-Scene Coordinators (OSC) were deployed to the scene from Atlanta, Georgia. Due to proximity and the potential for cross-regional impacts, an OSC was deployed from EPA Region 3 to provide additional assessment and oversight support.

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PROJECT INFORMATION – John H. Kerr Dam and Reservoir, NC - Eden, NC, Duke Energy Coal Ash Spill February 2014

The Corps of Engineers operates the John H. Kerr Reservoir located about 75 miles downstream of the spill site. The Corps have been maintaining close contact with the EPA, Virginia Department of Environmental Quality and North Carolina Department of Environment and Natural Resources, concerning coal ash flows and deposits into Kerr Reservoir and possible impacts. The Corps is coordinating requests for reductions in releases from its Philpott Reservoir upstream of the spill site on the Smith River to assist clean-up efforts. The Corps' Engineer Research and Development Center has been contacted regarding possible modeling support to EPA related to downstream fate and transport of the coal ash.

The Corps' regulatory personnel have also been in constant communication with Duke Energy since the spill occurred on 2 February 2014. The spilled coal ash is not considered a discharge regulated under Section 404 of the Clean Water Act. However, Section 404 permits were required to plug the storm water pipe and were authorized under Nationwide Permit 3, with no reporting requirement. Duke Energy is currently using a hydraulic dredge to cleanup coal ash near the failed storm water pipe outfall. Dredged material is being pumped into containment trucks for disposal. Any return water from these trucks is authorized under a non-reporting Nationwide Permit 16. Duke Energy is currently seeking bids from contractors to conduct the larger cleanup. The Corps is in regular communication with US Fish and Wildlife Service, State Historic Preservation Officer, EPA, and Corps' regulatory personnel in Virginia regarding any permitting requirements associated with cleanup activities.

Drinking Water Treatment Plants Status

No impacts to drinking water have been reported by either the Danville water treatment facility (approximately 10 miles downstream) or the South Boston water treatment facility (50 miles downstream) from spill site, both of which are upstream of the John H. Kerr Reservoir.

The EPA Region 3 OSCs continue to communicate with downstream water treatment plants, Virginia Department of Health, and Virginia Department of Emergency Management.