



PAT MCCRORY

Governor

DONALD R. VAN DER VAART

Secretary

S. JAY ZIMMERMAN

Director

March 24, 2016

CERTIFIED MAIL 7013 2630 0001 8998 4483
RETURN RECEIPT REQUESTED

Mr. Harry K. Sideris, Senior Vice President - Environmental, Health & Safety
Duke Energy
526 South Church Street
Mail Code EC3XP
Charlotte, North Carolina 28202

SUBJECT: *Modified* Notice of Violation and Recommendation of Enforcement for Violations of
NCGS 143-215.1(a) – Unauthorized Discharge of Wastewater
NOV-2016-DV-0104
Duke Energy Carolinas, LLC – Riverbend Steam Station WWTP
NPDES Permit NC0004961
Gaston County

Dear Mr. Sideris:

On March 4, 2016, you were sent a notice of violation and recommendation of enforcement for violations of the subject general statute resulting from unauthorized discharges of wastewater that occurred in the area of the subject facility's coal ash basins prior to the effective date (March 1, 2016) of the recently renewed NPDES permit. Since the date of the issuance of the NOV, Duke Energy Carolinas, LLC has contested the renewed permit. As a result, its terms are no longer effective, including those in Sections A. (16.) and A. (21 – 32.), that provide permit coverage for the discharges from known seeps in the areas near the ash basins.

Accordingly, because permit coverage for the seeps has been relinquished as a result of the adjudication of the permit, the terms of NOV-2016-DV-0104 are hereby modified in scope to be applicable to unauthorized discharges occurring before, during or after March 1, 2016. All other terms of NOV-2016-DV-0104 remain in effect as stated in the original document, except that you shall have thirty (30) days from your receipt of this modified NOV to provide any explanation or mitigating information regarding the violations, due to the modification of the content of the NOV.

Thank you for your prompt attention to this matter. If you have any questions about this letter, please contact me at (919) 807-6309.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeffrey O. Poupart'.

Jeffrey O. Poupart
Water Quality Permitting Section Chief

cc: Mooresville Regional Office – Water Quality Regional Operations
NPDES Compliance/Enforcement Files
Central Files