Consumers Energy

A CMS Energy Company

Environmental Services

September 23, 2011

Mr. Stephen Hoffman
U.S. Environmental Protection Agency
Two Potomac Yard
2733 South Crystal Drive
5th Floor, N-5838
Arlington, Virginia 22202-2733

FINAL REPORT, COAL COMBUSTION WASTE IMPOUNDMENT ROUND 7 – DAM ASSESSMENT REPORT, J.C. WEADOCK FLY ASH DIKE, CONSUMERS ENERGY, BAY CITY, MICHIGAN ; CONSUMERS ENERGY RESPONSE TO RECOMMENDATIONS

Dear Mr. Hoffman:

Consumers Energy received and has reviewed the final draft report for the JC Weadock facility that resulted from the site assessment of the coal ash disposal facilities conducted by US EPA and its engineering contractor Dewberry & Davis, LLC on September 21, 2010. Consumers Energy supports the EPA's objective to ensure safe disposal of coal combustion residuals. We have a comprehensive monitoring, maintenance, and inspection program in place for all of our coal ash disposal facilities and remain committed to operating and maintaining these facilities safely.

The JC Weadock land disposal facility is currently permitted as a surface impoundment to be closed as a landfill under the regulatory authority of the Michigan Department of Environmental Quality, Resource Management Division (MDEQ). The Department is regularly engaged in the ash management activities at the land disposal facility and makes compliance inspection visits at least once per quarter.

EPA's engineering contractor, Dewberry & Davis, LLC provided a hazard classification for the JC Weadock land disposal facility of low and stated that the facility was in satisfactory condition in accordance with EPA's criteria. Consumers Energy remains committed to meeting all state and federal requirements and to managing its coal combustion byproducts disposal facilities in a very safe and responsible manner.

We are confident, based on our ongoing monitoring, maintenance and inspections, that the disposal facility has the structural integrity necessary to protect the public and the environment. EPA's report supports this conclusion and found that acceptable performance is expected in accordance with the applicable safety regulatory criteria. While the EPA final report did not make any specific recommendations, Consumers Energy formalized a Surveillance Monitoring Program (SMP) dated December 2010 that included a checklist for CEC

personnel to record observations with emphasis on structural items denoted in the Potential Failure Modes Analysis (PFMA) report dated November 6, 2009. Implementation of the SMP began on January 3, 2011.

Please feel free to contact me with any questions regarding the above responses.

Sincerely,

Harold D. Register Jr.

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