



John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Craig W. Butler, Director

MAY 22, 2018

Andrea Knopp  
Lightstone Generation  
Gavin Power LLC  
P. O. Box 271  
7393 State Route 7 North  
Gallipolis, Ohio 45620

Re: AEP James M. Gavin Landfill  
Director's Authorization  
Approval  
Residual Solid Waste Landfill  
Gallia County  
RSWL018808

**Subject: Gavin Residual Waste Landfill, Gallia County**  
**Ohio Administrative Code (OAC) Rule 3745-30-08(E)(5) Approval**

Ohio EPA MAY 22 '18  
Entered Directors Journal

Dear Ms. Knopp:

On January 16, 2018, the Ohio Environmental Protection Agency (Ohio EPA), Division of Materials and Waste Management (DMWM), Southeast District Office (SEDO), received a document titled *Well 94136 Assessment Monitoring Report*, for the Gavin Residual Waste Landfill (Facility) located in Gallia County. The document was submitted by Lightstone Generation, pursuant to Ohio Administrative Code (OAC) Rule 3745-30-08(E)(5) and requested reinstatement of the ground water detection monitoring program for monitoring well 94136 at the Facility and to release the owner or operator from the obligation to comply with the ground water quality assessment monitoring program. Ground water assessment had been implemented due to the detection of statistically significant changes for sulfate in monitoring well 94136 during the April 2015 sampling event and again during the October 2015 sampling event.

Pursuant to OAC Rule 3745-30-08(E)(5), if the owner or operator determines that no waste-derived constituents from the facility have entered the groundwater, then the owner or operator shall request that the director approve reinstatement of the detection monitoring program described in paragraphs (C) and (D) of this rule.

The submitted document concludes that the statistically significant changes for sulfate detected in monitoring well 94136 are attributed to an upgradient source generated from acid mine drainage and the oxidation of naturally occurring sulfide minerals and are not as a result of impact from the landfill.

Ohio EPA has reviewed the applicable information and concurs with this conclusion. Therefore, pursuant to OAC Rule 3745-30-08(E)(5), I hereby approve reinstatement of the ground water detection monitoring program for monitoring well 94136 and release the owner or operator from the obligation to comply with this assessment monitoring program at the Facility. This approval of reinstatement of the detection monitoring program applies to monitoring well 94136.

Should future or existing ground water sampling results indicate statistically significant changes in ground water monitoring parameters, the owner or operator will be required to either enter into the ground water quality assessment monitoring program in accordance with OAC Rule 3745-30-08(E) or obtain approval to remain in the detection monitoring program pursuant to OAC Rule 3745-30-08(D)(9).

This approval shall not be construed to release the owner or operator from the obligation to comply with the requirements of any other ground water quality assessment monitoring program being conducted at the Facility.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to ORC Section 3745.04. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 made payable to "Treasurer, State of Ohio." The Commission, in its discretion, may reduce the fee if by affidavit it is demonstrated that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
30 East Broad Street, 4<sup>th</sup> Floor  
Columbus, Ohio 43215

If you have any questions concerning this letter, please contact Dan Bergert, DMWM, SEDO at 740-380-5438.

Sincerely,



Holly Yucker  
Chief, Southeast District Office  
for Craig W. Butler  
Director, Ohio EPA

CB/HT/DB/mr

cc: Rich Fox, DMWM, SEDO  
Scott Hester, DMWM, CO  
John McKean, Gallia County Health Department  
Steve Lowry, DMWM, SEDO