



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

Ohio EPA JAN 4 '19  
Entered Directors Journal

JANUARY 4, 2019

Ms. Desiree Loveless  
Regional Environmental Manager  
Dynegy-Ohio  
1781 US Route 52  
Moscow, Ohio 45153

Re: Dynegy Zimmer LLC Residual  
Waste Landfill  
Director's Authorization  
Approval  
Residual Solid Waste Landfills  
Clermont County  
RSWL018782

**Subject: Dynegy Zimmer LLC Residual Solid Waste Landfill, Clermont County  
Ohio Administrative Code (OAC) Rule 3745-30-08(D)(9)(b) Approval**

Dear Ms. Loveless:

I am writing to you regarding the Ohio Environmental Protection Agency's (Ohio EPA) review of the report titled, *Alternative Source Demonstration - MW-9DR Total Dissolved Solids - Dynegy - Zimmer Station - Residual Waste Landfill - Moscow, Ohio* (Report) dated November 11, 2018. S & ME, Inc. prepared the Report on behalf of Dynegy Zimmer LLC regarding the ground water sampling results from the October 23-25, 2017, April 23-25, 2018 and July 19, 2018 sampling events at Dynegy Zimmer LLC Residual Waste (Facility), located near the intersection of Turkey Foot Road and State Route 756, Moscow, Ohio.

Analyses of the ground water detection monitoring data from the October 23-25, 2017, April 23-25, 2018, and July 19, 2018 sampling events indicated the following statistically significant increase over background: total dissolved solids (TDS) in MW-9DR.

Pursuant to OAC Rule 3745-30-08(D)(9)(b), the owner or operator may demonstrate that statistically significant increases over background resulted from a source other than the landfill, from error in sampling, analysis, or statistical evaluation, or from natural variation in ground water quality.

As demonstrated in the November 11, 2018 Report, the statistically significant changes for TDS in monitoring well MW-9DR were not a result of impact from the landfill. Ohio EPA has reviewed the applicable information and concurs with the demonstration. Therefore, pursuant to OAC Rule 3745-30-08(D)(9)(b), the owner or operator is hereby authorized to continue the detection monitoring program at the Facility for monitoring well MW-9DR.

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 assessment monitoring in accordance with OAC Rule 3745-30-08(E) or obtain approval to remain in the detection monitoring program.

You are hereby notified that this action of the Director of Environmental Protection (Director) is final and may be appealed to the Environmental Review Appeals Commission pursuant to Ohio Revised Code 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 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 Curtis DeLong of Ohio EPA, SWDO at (937) 285-6072 or by email at [curtis.delong@epa.ohio.gov](mailto:curtis.delong@epa.ohio.gov)

Sincerely,



Bonnie Buthker, Chief  
Southwest District Office  
for Craig W. Butler, Director

ec: Robert Wildey, Clermont County Public Health  
Desiree Loveless, Dynegy-Ohio