



**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor  
**Laurie A. Stevenson**, Director

October 21, 2021

Kingfisher Development, LLC  
2275 Cassens Drive, Suite 118  
Fenton, MO 63026

Hamerkop Development, LLC  
2275 Cassens Drive, Suite 118  
Fenton, MO 63026

Commercial Liability Partners, LLC  
2275 Cassens Drive, Suite 118  
Fenton, MO 63026

Grackle Development, LLC  
2275 Cassens Drive, Suite 118  
Fenton, MO 63026

**Re: J.M. Stuart Electric Generating Station  
Director's Final Findings and Orders (DFFO)  
DFFO  
NPDES  
Adams County  
0IB00049**

**Re: Carter Hollow  
Director's Final Findings and Orders (DFFO)  
DFFO  
Industrial Manufacturing Waste Landfills  
Adams County  
RSWL019994**

**Re: Killen Station  
Director's Final Findings and Orders (DFFO)  
DFFO  
NPDES  
Adams County  
0IB00022**

**Subject:** Final Findings and Orders of the Director

Dear Sir or Madam:

Transmitted herewith are the Final Findings and Orders of the Director concerning the matter regarding **Kingfisher Development, LLC, Hamerkop Development, LLC, Commercial Liability Partners, LLC, and Grackle Development, LLC.**

If you have any questions, please contact Teri Finfrock at (614) 644-3037.

Sincerely,

*Jeri Main*

Jeri Main  
Administrative Professional Unit  
Division of Materials & Waste Management

Enclosure

ec: Teri Finfrock/Troy Harter, DMWM, Legal  
Alison Shockley, DMWW, CO  
Richard Fox, DMWM, SEDO  
Bruce McCoy, DMWM, CO

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

In the Matter Of:

Kingfisher Development, LLC	:	<u>Modified Director's</u>
2275 Cassens Drive, Suite 118	:	<u>Final Findings and Orders</u>
Fenton, MO 63026	:	
	:	
	:	
Hamerkop Development, LLC	:	
2275 Cassens Drive, Suite 118	:	
Fenton, MO 63026	:	
	:	
	:	
Commercial Liability Partners, LLC	:	
2275 Cassens Drive, Suite 118	:	
Fenton, MO 63026	:	
	:	
	:	
Grackle Development, LLC	:	
2275 Cassens Drive, Suite 118	:	
Fenton, MO 63026	:	

**Respondents**

**PREAMBLE**

It is agreed by the parties hereto as follows:

**I. JURISDICTION**

These Modified Orders are issued to Kingfisher Development, LLC ("Respondent Kingfisher"), Hamerkop Development, LLC ("Respondent Hamerkop"), Respondent Commercial Liability Partners, LLC ("Respondent CLP"), and Grackle Development, LLC ("Respondent Grackle") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") Sections 3734.13, 6111.03 and 3745.01.

**II. PARTIES BOUND**

These Modified Orders shall apply to and be binding upon the Respondents and successors in interest liable under Ohio law. No change in the composition of Respondents or ownership of the Facilities as hereinafter defined shall in any way alter Respondents' obligations under these Modified Orders.

**III. DEFINITIONS**

Unless otherwise stated, all terms used in these Modified Orders shall have the same meaning as defined in ORC Chapters 3734 and 6111 and the rules promulgated thereunder.

#### **IV. FINDINGS**

The Director of Ohio EPA has determined the following findings:

1. Respondents Kingfisher, Hamerkop, and Grackle are active foreign limited liability companies doing business in Ohio with a shared mailing address of 2275 Cassens Drive, Suite 118, Fenton, MO 63026.
2. Respondent CLP is a foreign limited liability company with a mailing address of 2275 Cassens Drive, Suite 118, Fenton, MO 63026, that has been contracted to remediate the J. M. Stuart Electric Generating Station ("Stuart Facility") and the Killen Electric Generating Station ("Killen Facility").
3. Each Respondent is a "person" as that term is defined in ORC Sections 3734.01(G) and 6111.01(I), and in OAC Rule 3745-500-02(P)(4).

#### **Stuart Facility**

4. Respondent Hamerkop owns the former Stuart Facility which is located adjacent to the Ohio River at 745 U.S. Route 52, Manchester, Adams County, Ohio. The Stuart Facility is over 2,000 acres and had previously operated as a 4-unit coal fired steam electric power plant until June 2018.
5. The Stuart Facility is the site of the following coal combustion residuals (CCR) disposal and treatment units and other material storage areas:
  - a. A series of surface impoundments identified as Ponds 3A, 5, 6, 7, 7A, and 10 that had been previously filled with CCR consisting of fly ash, bottom ash, and fly ash sluice water ("Stuart Facility CCR surface impoundments or Ponds 3A, 5, 6, 7, 7A, and 10", – collectively, "Stuart Ponds").
  - b. Two landfills identified as Landfills 9 and 11 where CCR consisting of fly ash, bottom ash, and boiler slag, generated from the coal firing operations had been previously disposed ("Landfills 9 and 11").
  - c. A nearly 230,000 cubic yard pile of gypsum generated as a byproduct from use of a Flue Gas Desulfurization ("FGD") system utilized at the coal-fired electric generating station ("Stuart Facility gypsum byproduct");

- d. A storage area which is the location of a three-foot thick layer of unusable remnants from clean coal that was stockpiled prior to use as fuel for the power station ("Stuart Facility coal stockpile remnants").
6. Ohio EPA and Respondents Kingfisher, Hamerkop, and CLP entered into negotiations regarding closure of the CCR units at the Stuart Facility. These negotiations resulted in Consensual Director's Final Findings and Orders issued on December 24, 2020 ("2020 Orders"). The 2020 Orders, which remain in effect, are Attachment A to these Modified Orders. The 2020 Orders formalized the procedure for closure of the CCR units at the Stuart Facility, including the Stuart Ponds by removing and relocating CCR from the Stuart Ponds to Landfills 9 and 11, and closure of Landfills 9 and 11 at the Stuart Facility. The 2020 Orders also provided an exemption pursuant to ORC Section 3734.02(G) which allows Respondents to relocate the Stuart Facility gypsum byproduct and coal stockpile remnants to Landfill 9.

### **Carter Hollow Facility**

7. Respondent Hamerkop owns the Carter Hollow Class III Residual Waste Landfill ("Carter Hollow Facility") a licensed residual waste landfill located on the same property as the Stuart Facility. Respondent Hamerkop acquired the Carter Hollow Facility as part of the same series of transactions through which Respondent Hamerkop acquired the Stuart Facility. The Carter Hollow Facility includes approximately 70,000 cubic yards of gypsum byproduct that had been used as a frost protection layer and in the construction of a berm within the facility ("Carter Hollow Facility gypsum byproduct").
8. Respondent Hamerkop is the holder of the 2021 license for the Carter Hollow Facility.
9. Respondents conduct groundwater monitoring at the Carter Hollow Facility in accordance with an existing Ohio EPA-approved groundwater monitoring program and under the federal CCR Rules.
10. In addition to closure of the CCR units at the Stuart Facility, the 2020 Orders included options for the management of the Carter Hollow Facility gypsum byproduct, one of which was a schedule for the potential relocation of all Carter Hollow Facility gypsum byproduct to Landfill 9 at the Stuart Facility. In the event such relocation should occur, the 2020 Orders also provided an exemption pursuant to ORC Section 3734.02(G) which allowed Respondents to relocate the Carter Hollow gypsum byproduct and coal stockpile remnants to Landfill 9.

11. The 2020 Orders established July 2, 2021 as the deadline for completion of relocation of the Carter Hollow gypsum byproduct and July 31, 2021 as the deadline for Respondents to request termination of the Carter Hollow Facility Permit to Install.
12. In June 2021, Respondents notified Ohio EPA that they would begin relocation of the Carter Hollow gypsum byproduct to Landfill 9 at the Stuart Facility. As part of this notification, Respondents indicated that relocation of the Carter Hollow gypsum byproduct would not be complete by July 2, 2021.

### **Killen Facility**

13. Respondent Grackle owns the former Killen Facility located adjacent to the Ohio River at 14869 U.S. Route 52, Manchester, Adams County. The Killen Facility is over 2,000 acres and had previously operated as a single unit coal fired steam electric power plant until June 2018. Respondent Kingfisher purchased the Killen Facility in December 2019 and subsequently transferred the Killen Facility to Respondent Grackle in June 2020. An aerial view of the Killen Facility is attached hereto and marked as Attachment B.
14. The Killen Facility is the site of the following CCR surface impoundments and other materials storage areas:
  - a. A fly ash settling pond;
  - b. A bottom ash settling pond;
  - c. An approximately 49,000 cubic yard pile of gypsum byproduct ("Killen Facility gypsum byproduct");
  - d. A storage area which is the location of unusable remnants from clean coal that was stockpiled prior to use as fuel for the power station ("Killen Facility coal stockpile remnants").
15. Respondent CLP now intends to relocate the Killen Facility gypsum byproduct and coal stockpile remnants to Landfill 9 at the Stuart Facility. Closure of the CCR storage and disposal units and other materials storage areas located at the Killen Facility will require a separate authorization from Ohio EPA.

### **Solid Waste Statutory and Regulatory Issues**

16. OAC Rule 3745-27-05(A) provides an exclusive list of methods by which solid waste can be lawfully disposed in the state of Ohio, including disposal at a sanitary landfill facility licensed in accordance with ORC Chapter 3734.
17. ORC Section 3734.01(E) and OAC Rule 3745-27-01 exempt "nontoxic fly ash and bottom ash, including at least ash that results from the combustion of coal" from the definition of "solid wastes."

18. The gypsum byproduct and coal stockpile remnants are not exempted from the definition of "solid wastes," and as such must be disposed in accordance with OAC Rule 3745-27-05(A).
19. The disposal site (Landfill 9 at the Stuart Facility) identified by Respondent Kingfisher for the Killen Facility gypsum byproduct and coal stockpile remnants is not a facility that is authorized by OAC Rule 3745-27-05(A) for disposal of solid waste.
20. ORC Section 3734.02(G) states in part "[t]he director, by order, may exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes . . . in such quantities or under such circumstances that, in the determination of the director, are unlikely to adversely affect the public health or safety or the environment from any requirement to obtain a registration certificate, permit, or license or comply with the manifest system or other requirements of this chapter."
21. Pursuant to ORC Section 3734.02(G), the Director has determined that exempting Respondents from the requirements to dispose of the Killen Facility gypsum byproduct and coal stockpile remnants in accordance with OAC 3745-27-05(A) is unlikely to adversely affect public health or safety or the environment, provided Respondents adhere to the conditions specified in **Section V. Orders**.
22. Pursuant to ORC Section 3734.02(G), the Director has determined that extending the disposal deadline for the Carter Hollow gypsum byproduct is unlikely to adversely affect public health or safety or the environment, provided Respondents adhere to the conditions specified in **Section V. Orders**.
23. The Director has given consideration to, and based her determination on, evidence relating to the technical feasibility and economic reasonableness of complying with these Modified Orders and to evidence relating to conditions calculated to result from compliance with these Modified Orders, and its relation to the benefits to the people of the State to be derived from such compliance in accomplishing the purposes of ORC Chapter 6111.

## **V. ORDERS**

Except as otherwise expressly provided herein, Respondents shall comply with all applicable requirements of ORC Chapters 3734 and 6111. Except as modified below, these Modified Orders do not supersede the Director's Final Findings and Orders issued to Respondents on December 24, 2020. The Director's Final Findings and Orders issued to Respondents on December 24, 2020, are hereby modified as follows:

1. Paragraph 1 of **Section V. Orders** shall be modified to read:

Respondents are hereby exempted from the requirement to dispose of the Stuart Facility and Killen Facility gypsum byproduct and coal stockpile remnants as required by OAC Rule 3745-27-05(A)(1), subject to the following conditions:

- a. By no later than October 15, 2022, Respondents shall complete disposal of the Stuart Facility and Killen Facility coal stockpile remnants into Landfill 9 at the Stuart Facility.
  - b. By no later than February 19, 2023, Respondents shall complete disposal of the Stuart Facility and Killen Facility gypsum byproduct into Landfill 9 at the Stuart Facility.
  - c. The Stuart Facility and Killen Facility gypsum byproduct and coal stockpile remnants shall not be disposed into Landfill 11 at the Stuart Facility or at any other location, or on any other timeline unless otherwise authorized in writing by the Director.
2. Paragraph 2.b.i.2. of **Section V. Orders** shall be modified to read:

Not later than November 30, 2021, dispose of all gypsum byproduct into Landfill 9.
  3. Paragraph 2.b.i.5. of **Section V. Orders** shall be modified to read:

No later than December 29, 2021, submit a request to Ohio EPA to terminate the Carter Hollow Facility Permit to Install, which shall include certification that all solid waste has been removed from the facility and site conditions are protective of human health, safety, and the environment.
  4. Respondents shall not dispose of any materials in Landfills 9 or 11 except as specifically authorized in the 2020 Orders and these Modified Orders.
  5. Respondents shall take measures to control fugitive dust and other air emissions that may result from activities authorized by these Modified Orders.
  6. Respondents shall comply with applicable requirements in the federal CCR rules, 40 C.F.R. 257.50-257.107, when implementing these Modified Orders. If there is a conflict between a requirement in these Modified Orders and requirements of the federal CCR rules that cannot be reconciled, Respondents shall notify Ohio EPA of the conflict in writing, in accordance with Section X. of these Modified Orders, to obtain resolution of the conflict. These Modified Orders may be further modified in accordance with Section IX. of these Modified Orders if necessary to resolve differences with the federal CCR rules.

## **VI. TERMINATION**

Respondents' obligations under these Modified Orders shall terminate when the Respondents certify in writing and demonstrate to the satisfaction of Ohio EPA that Respondents have performed all obligations under these Modified Orders and the Chief of Ohio EPA's Division of Materials and Waste Management and the Chief of the Division of Surface Water acknowledge, in writing, the termination of these Modified Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondents of the obligations that have not been performed, in which case the Respondents shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "Kingfisher Development LLC, Hamerkop Development, LLC, Grackle Development, LLC, and Commercial Liability Partners, LLC, certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by the Respondents to Ohio EPA and shall be signed by responsible officials of the Respondents. For purposes of these Modified Orders, a responsible official is the principal executive officer, the ranking elected official, or other duly authorized employee.

## **VII. OTHER CLAIMS**

Nothing in these Modified Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Modified Orders, for any liability arising from, or related to, the Stuart or Killen Facilities, or from any claim, cause of action or demand in law or equity against Respondents for any liability arising from or related to the Stuart or Killen Facilities not specifically addressed in these Modified Orders.

## **VIII. OTHER APPLICABLE LAWS**

All actions required to be taken pursuant to these Modified Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Modified Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondents.

## **IX. MODIFICATIONS**

These Modified Orders may be further modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

## **X. NOTICE**

All documents required to be submitted by Respondents pursuant to these Modified Orders shall be electronically submitted to Ohio EPA's LiquidFiles drop box at:

[https://fileshare.epa.ohio.gov/filedrop/sedo\\_dmwm\\_submittals](https://fileshare.epa.ohio.gov/filedrop/sedo_dmwm_submittals)

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

#### **XI. RESERVATION OF RIGHTS**

Ohio EPA and Respondents each reserve all rights, privileges and causes of action, except as specifically waived in Section XII of these Modified Orders.

#### **XII. WAIVER**

Respondents consent to the issuance of these Modified Orders and agree to comply with these Modified Orders. Respondents hereby waive the right to appeal the issuance, terms and conditions, and service of these Modified Orders, and Respondents hereby waive any and all rights Respondents may have to seek administrative or judicial review of these Modified Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondents agree that if these Modified Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondents retain the right to intervene and participate in such appeal. In such an event, Respondents shall continue to comply with these Modified Orders notwithstanding such appeal and intervention unless these Modified Orders are stayed, vacated or modified.

#### **XIII. EFFECTIVE DATE**

The effective date of these Modified Orders is the date these Modified Orders are entered into the Ohio EPA Director's journal.

#### **XIV. SIGNATORY AUTHORITY**

Each undersigned representative of a party to these Modified Orders certifies that he or she is fully authorized to enter into these Modified Orders and to legally bind such party to these Modified Orders. The parties acknowledge and agree that these Modified Orders may be executed by electronic signature, which shall be considered as an original signature for all purposes and shall have the same force and effect as an original signature. Without limitation, "electronic signature" shall include faxed versions of an original signature or electronically scanned and transmitted versions (e.g., via pdf) of an

Modified Director's Final Findings and Orders  
Kingfisher Development LLC et al.  
Former Stuart Electric Generating Station  
Page 9

original signature.

**IT IS SO ORDERED AND AGREED:**

**Ohio Environmental Protection Agency**



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Laurie A. Stevenson  
Director

10/21/2021

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Date

**IT IS SO AGREED:**

**Kingfisher Development, LLC**

  
\_\_\_\_\_  
Signature

9/27/2021  
\_\_\_\_\_

Date

Ron Froh  
\_\_\_\_\_

Printed or Typed Name

President & CEO  
\_\_\_\_\_

Title

**Hamerkop Development, LLC**

  
\_\_\_\_\_  
Signature

9/27/2021  
\_\_\_\_\_

Date

Ron Froh  
\_\_\_\_\_

Printed or Typed Name

Manager  
\_\_\_\_\_

Title

**IT IS SO AGREED:**

**Commercial Liability Partners, LLC**

  
\_\_\_\_\_  
Signature

9/27/2021  
\_\_\_\_\_

Date

Ron Froh  
\_\_\_\_\_

Printed or Typed Name

President & CEO  
\_\_\_\_\_

Title

**Grackle Development, LLC**

  
\_\_\_\_\_  
Signature

9/27/2021  
\_\_\_\_\_

Date

Ron Froh  
\_\_\_\_\_

Printed or Typed Name

Manager  
\_\_\_\_\_

Title

**Attachment A – 2020 Orders with Attachments A-C**

By:  Date: \_\_\_\_\_

**BEFORE THE  
OHIO ENVIRONMENTAL PROTECTION AGENCY**

12/24/2020

In the Matter Of:

Kingfisher Development, LLC	:	<u>Director's</u>
2275 Cassens Drive, Suite 118	:	<u>Final Findings and Orders</u>
Fenton, MO 63026	:	
	:	
Hamerkop Development, LLC	:	
2275 Cassens Drive, Suite 118	:	
Fenton, MO 63026	:	
	:	
Commercial Liability Partners, LLC	:	
2275 Cassens Drive, Suite 118	:	
Fenton, MO 63026	:	

**Respondents**

**PREAMBLE**

It is agreed by the parties hereto as follows:

**I. JURISDICTION**

These Orders are issued to Kingfisher Development, LLC ("Respondent Kingfisher"), Hamerkop Development, LLC ("Respondent Hamerkop"), and Respondent Commercial Liability Partners, LLC ("Respondent CLP") pursuant to the authority vested in the Director of the Ohio Environmental Protection Agency ("Ohio EPA") under Ohio Revised Code ("ORC") Sections 3734.13, 6111.03 and 3745.01.

**II. PARTIES BOUND**

These Orders shall apply to and be binding upon the Respondents and successors in interest liable under Ohio law. No change in the composition of Respondents or ownership of the Facilities as hereinafter defined shall in any way alter Respondents' obligations under these Orders.

**III. DEFINITIONS**

Unless otherwise stated, all terms used in these Orders shall have the same meaning as defined in ORC Chapters 3734 and 6111 and the rules promulgated thereunder.

**IV. FINDINGS**

The Director of Ohio EPA has determined the following findings:

1. Respondents Kingfisher and Hamerkop are active foreign limited liability companies doing business in Ohio with a shared mailing address of 2275 Cassens Drive, Suite 118, Fenton, MO 63026.
2. Respondent CLP is a foreign limited liability company with a mailing address of 2275 Cassens Drive, Suite 118, Fenton, MO 63026, that has been contracted to remediate the J. M. Stuart Electric Generating Station ("Stuart Facility").
3. Each Respondent is a "person" as that term is defined in ORC Sections 3734.01(G) and 6111.01(I), and in OAC Rule 3745-500-02(P)(4).

#### **Stuart Facility**

4. Respondent Hamerkop owns the former Stuart Facility which is located adjacent to the Ohio River at 745 U.S. Route 52, Manchester, Adams County, Ohio. The Stuart Facility is over 2,000 acres and had previously operated as a 4-unit coal fired steam electric power plant until June 2018. The Facility was purchased by Respondent Kingfisher in December 2019 and subsequently transferred to Respondent Hamerkop in June 2020. An aerial view of the Stuart Facility is attached hereto and marked as Attachment A.
5. The Stuart Facility is the site of the following coal combustion residuals (CCR) disposal and treatment units and other material storage areas:
  - a. A series of surface impoundments identified as Ponds 3A, 5, 6, 7, 7A, and 10 that had been previously filled with CCR consisting of fly ash, bottom ash, and fly ash sluice water ("Stuart Facility CCR surface impoundments or Ponds 3A, 5, 6, 7, 7A, and 10", – collectively, "Stuart Ponds").
  - b. Two landfills identified as Landfills 9 and 11 where CCR consisting of fly ash, bottom ash, and boiler slag, generated from the coal firing operations had been previously disposed ("Landfills 9 and 11").
  - c. A nearly 230,000 cubic yard pile of gypsum generated as a byproduct from use of a Flue Gas Desulfurization ("FGD") system utilized at the coal-fired electric generating station ("Stuart Facility gypsum byproduct");
  - d. A storage area which is the location of a three-foot thick layer of unusable remnants from clean coal that was stockpiled prior to use as fuel for the power station ("Stuart Facility coal stockpile remnants").
6. The Stuart Facility holds National Pollutant Discharge Elimination System

("NPDES") permit, No. 0IB00049\*ND, which was effective February 1, 2013 and expired January 31, 2018. A renewal of the permit is pending. The permit authorizes discharges of wastewater and storm water from the Stuart Facility to Buzzard's Creek, Little Three Mile Creek, unnamed tributaries to Elk Run, and the Ohio River, all of which are "waters of the state" as defined in ORC Section 6111.01(H).

7. Respondents conduct groundwater monitoring for Pond 10 and Landfills 9 and 11 in accordance with existing Ohio EPA-approved groundwater monitoring programs. Groundwater monitoring is also conducted for all CCR disposal and treatment units under the federal CCR Rules for the CCR Units.

### **Carter Hollow Facility**

8. Respondent Hamerkop owns the Carter Hollow Class III Residual Waste Landfill ("Carter Hollow Facility") a licensed residual waste landfill located on the same property as the Stuart Facility. Respondent Hamerkop acquired the Carter Hollow Facility as part of the same series of transactions through which Respondent Hamerkop acquired the Stuart Facility. The Carter Hollow Facility includes approximately 70,000 cubic yards of gypsum byproduct that had been used as a frost protection layer and in the construction of a berm within the facility. ("Carter Hollow Facility gypsum byproduct") An aerial view of the Carter Hollow Facility is attached hereto and marked as Attachment B.
9. The financial assurance for the Carter Hollow Facility, as required by OAC Chapter 3745-27, is currently provided with a letter of credit established by U.S. Bank National Association at the request of AES Ohio Generation, LLC, the entity that owned the Stuart and Carter Hollow Facilities prior to Respondent Kingfisher's purchase, which occurred as described in Findings Nos. 4 and 8. By letter dated October 23, 2020, Ohio EPA received notice that this letter of credit will expire on March 18, 2021.
10. Respondent Hamerkop is the holder of the 2021 license for the Carter Hollow Facility.
11. Respondents conduct groundwater monitoring at the Carter Hollow Facility in accordance with an existing Ohio EPA-approved groundwater monitoring program and under the federal CCR Rules.
12. In February 2020, Respondent Kingfisher provided to Ohio EPA a general proposal for closure of CCR units and development at the Stuart Facility. Respondents intend to conduct closure of the Stuart Ponds by removing and relocating CCR from the Stuart Ponds to Landfills 9 and 11. Respondents intend to relocate the Stuart Facility gypsum byproduct and coal stockpile remnants to Landfill 9.

13. Attachment C presents Respondents' Stuart Closure Project Schedule ("Project Schedule") for the anticipated closure tasks listed therein that are required for removal and dewatering of all CCR material from the Stuart Ponds, closure of Landfill 9, closure of Landfill 11, and closure of the Carter Hollow Facility. The Project Schedule includes the major project submittals, construction activities, and Ohio EPA approval steps.
14. Under Respondent Kingfisher's proposal, Respondent CLP will conduct closure of the CCR units and undertake the development projects at the Stuart Facility. Respondent Kingfisher will be responsible for compliance with any permits to be issued, both related to the closure of the CCR units and development and post-closure care of the Stuart Facility.

### **Solid Waste Statutory and Regulatory Issues**

15. OAC Rule 3745-27-05(A) provides an exclusive list of methods by which solid waste can be lawfully disposed in the state of Ohio, including disposal at a sanitary landfill facility licensed in accordance with ORC Chapter 3734.
16. ORC Section 3734.01(E) and OAC Rule 3745-27-01 exempt "nontoxic fly ash and bottom ash, including at least ash that results from the combustion of coal" from the definition of "solid wastes."
17. The gypsum byproduct and coal stockpile remnants are not exempted from the definition of "solid wastes," and as such must be disposed in accordance with OAC Rule 3745-27-05(A).
18. The disposal site (Landfill 9) identified by Respondent Kingfisher in its closure and development proposal for the Stuart Facility gypsum byproduct and coal stockpile remnants is not a facility that is authorized by OAC Rule 3745-27-05(A) for disposal of solid waste.
19. ORC Section 3734.02(G) states in part "[t]he director, by order, may exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes . . . in such quantities or under such circumstances that, in the determination of the director, are unlikely to adversely affect the public health or safety or the environment from any requirement to obtain a registration certificate, permit, or license or comply with the manifest system or other requirements of this chapter."
20. Pursuant to ORC Section 3734.02(G), the Director has determined that exempting Respondents from the requirements to dispose of the Stuart Facility gypsum byproduct and coal stockpile remnants in accordance with OAC 3745-27-05(A) is unlikely to adversely affect public health or safety or the environment, provided Respondents adhere to the conditions specified in **Section V. Orders**.

### **Surface Water Statutory and Regulatory Issues**

21. Pursuant to ORC Section 6111.04(A), no person shall place or discharge, or cause to be placed or discharged, in any waters of the state any sewage, sludge, sludge materials, industrial waste, or other wastes without a valid, unexpired permit.
22. Pursuant to ORC Section 6111.04(C), no person to whom a permit has been issued shall place or discharge, or cause to be placed or discharged, in any waters of the state any sewage, sludge, sludge materials, industrial waste, or other wastes in excess of the permissive discharges specified under an existing permit.
23. OAC 3745-38-02 provides that no person may discharge any pollutant or cause, permit, or allow a discharge of any pollutant from a point source without either applying for and obtaining an Ohio NPDES individual permit in accordance with requirements of OAC Chapter 3745-33, complying with the indirect discharge permit program pursuant to OAC Chapter 3745-36 or obtaining authorization to discharge under an Ohio NPDES general permit in accordance with requirements of OAC Chapter 3745-38. Pursuant to OAC 3745-33-04, individual NPDES permit renewal applications must be submitted at least one hundred and eighty days prior to expiration of the permit.
24. ORC Section 6111.03(J)(1) authorizes the Director to set terms and conditions of the permit. That section further provides that any permit terms and conditions set by the Director shall be designed to achieve and maintain full compliance with mandatory requirements of the Federal Water Pollution Control Act that are imposed by regulation of the Administrator of the United States Environmental Protection Agency. Pursuant to Section 402(p) of the federal act, the Administrator of U.S. EPA imposed by regulation requirements to regulate storm water discharges.
25. NPDES permit, No. 01B00049\*ND, includes provisions for managing storm water on the Stuart Facility. Those provisions include a requirement to develop a Storm Water Pollution Prevention Plan ("SWPPP") for the Stuart Facility and to update the SWPPP when changes to the Facility are planned or occur.
26. Fly ash, bottom ash, boiler slag, coal stockpile remnants, and gypsum byproduct are "industrial wastes" or "other wastes" as defined in ORC Section 6111.01(C) and (D).
27. Pursuant to ORC Section 6111.07(A), no person shall violate or fail to perform any duty imposed by ORC Sections 6111.01 to 6111.08 or violate any order, rule, or term or condition of a permit issued or adopted by the Director of Ohio EPA pursuant to those sections. Each day of violation is a separate offense.

28. These Orders do not constitute authorization or approval of the construction of any physical structure or facilities, or the modification of any existing treatment works or sewer system. Any such construction or modification is subject to the plan approval and permit to install requirements of ORC Sections 6111.44 and 6111.45 and OAC Rule 3745-42.
29. Compliance with ORC Chapter 6111 is not contingent upon the availability or receipt of financial assistance.
30. The Director has given consideration to, and based her determination on, evidence relating to the technical feasibility and economic reasonableness of complying with these Orders and to evidence relating to conditions calculated to result from compliance with these Orders, and its relation to the benefits to the people of the State to be derived from such compliance in accomplishing the purposes of ORC Chapter 6111.

## **V. ORDERS**

Except as otherwise expressly provided herein, Respondents shall comply with all applicable requirements of ORC Chapters 3734 and 6111.

### **Solid Waste Orders**

#### **Stuart Facility**

1. Respondents are hereby exempted from the requirement to dispose of the Stuart Station gypsum byproduct and coal stockpile remnants as required by OAC Rule 3745-27-05(A)(1), subject to the following conditions:
  - a. By no later than 7/15/22, Respondents shall complete disposal of the Stuart Facility coal stockpile remnants into Landfill 9.
  - b. By no later than 2/19/23, Respondents shall complete disposal of the Stuart Facility gypsum byproduct into Landfill 9.
  - c. The Stuart Facility gypsum byproduct and coal stockpile remnants shall not be disposed into Landfill 11 or at any other location, or on any other timeline unless otherwise authorized in writing by the Director.

#### **Carter Hollow Facility**

2. Respondents are hereby exempted from the requirement to dispose of the Carter Hollow Facility gypsum byproduct as required by OAC Rule 3745-27-05(A)(1), subject to the following conditions:

- a. This exemption shall terminate upon the occurrence of either of the following, whichever occurs first:
  - i. Respondent Hamerkop transfers ownership of the Carter Hollow Facility to a third party that is not a respondent named in these Orders. Termination shall occur on the date that the title is acquired by a transferee that is not a respondent named in these Orders.
  - ii. Respondent Hamerkop completes closure and capping of Landfill 9 in accordance with these Orders. Termination shall occur on the date that closure of Landfill 9 is complete.
- b. Respondent Hamerkop shall do one of the following:
  - i. Legally dispose of the Carter Hollow Facility gypsum byproduct into Landfill 9. Respondent Hamerkop shall do the following:
    1. Notify Ohio EPA not later than 72 hours prior to commencing removal of the gypsum byproduct from the Carter Hollow Facility;
    2. Not later than July 2, 2021, dispose of all gypsum byproduct into Landfill 9;
    3. Execute and fund a financial assurance instrument for the Carter Hollow Facility in accordance with Chapter 3734 of the Revised Code and the rules adopted thereunder no later than February 18, 2021, unless Ohio EPA receives notification that the existing letter of credit has been extended. This financial assurance shall be maintained until Respondent Hamerkop certifies that all solid waste has been removed from the Carter Hollow Facility. The original of the financial assurance instrument shall be submitted to Ohio EPA in accordance with OAC Chapter 3745-27;
    4. Provide biweekly electronic communications to Ohio EPA Southeast District Office detailing the progress of the disposal activities, including the volume of gypsum byproduct disposed in Landfill 9 and the estimated volume of gypsum byproduct remaining in the Carter Hollow Facility;



samples shall include the following: Antimony, Arsenic, Barium, Beryllium, Boron, Cadmium, Calcium, Chloride, Chromium, Cobalt, Fluoride, Lead, Lithium, Mercury, Molybdenum, pH, Selenium, Sulphate, Thallium, Total Dissolved Solids, and Radium 226 and 228 combined.

- c. A sampling and analysis plan in accordance with OAC Rule 3745-27-10(C)(1) and (2).
  - d. A description of the statistical method to be used in evaluating the ground water analytical data. The statistical method shall be selected from those statistical methods contained in OAC Rule 3745-27-10(C)(6) and shall meet all criteria listed in OAC Rule 3745-27-10(C)(6) and (C)(7).
  - e. The semi-annual sampling of all monitoring wells and background wells for all constituents. The frequency of sampling shall be consistent with the statistical method used to analyze the data. Ground water elevations shall be measured in each well during any sampling event in accordance with OAC Rule 3745-27-10(C)(3). At least one ground water sample from each well in the monitoring system per sampling event shall be field analyzed for parameters pH, temperature, specific conductance and turbidity.
  - f. Provisions for determining, at least semi-annually, if there has been a statistically significant increase above the trigger levels for those constituents specified under paragraph (a) of this order. This determination shall be consistent with the criteria stated in OAC Rule 3745-27-10(C)(7).
  - g. Provisions for submitting all analytical and statistical data to Ohio EPA in accordance with OAC Rule 3745-27-10(C)(10).
5. The Director may require additional monitoring wells and sampling if needed to determine the concentration and extent of any contamination released by the unit.
  6. The Director may require additional source control or ground water corrective action to protect human health, human safety or the environment.
  7. Upon the Director's approval of the updated plans for the ground water monitoring program for Landfill 9 and/or the ground water monitoring program for Landfill 11, Respondents shall implement the plans. Prior to approval of the updated plans, Respondents will continue to conduct groundwater monitoring in accordance with the on-going program requirements.
  8. By no later than October 30, 2025, Respondents shall complete the removal of fly ash and bottom ash from Ponds 3A, 5, 6, 7, 7A, and 10, dewater it, and dispose of it in Landfill 9 or Landfill 11.

9. Respondents are hereby authorized to dispose of coal stockpile remnants and gypsum byproduct in Landfill 9. Respondents shall not dispose of any coal stockpile remnants or gypsum byproduct in Landfill 11.
10. Respondents shall not dispose of any materials in Landfills 9 or 11 except as specifically authorized in these Orders.
11. Prior to beginning the removal and dewatering of fly ash and bottom ash from the ponds, and disposal of the fly ash, bottom ash, the coal stockpile remnants, and the gypsum byproduct in Landfill 9 or fly ash and bottom ash in Landfill 11 as specified in these Orders, Respondents shall update the SWPPP for the Stuart Facility to incorporate best management practices for the planned activities. Respondents shall submit the updated SWPPP to Ohio EPA for review in accordance with Section X. of these Orders.
12. Respondents shall submit to Ohio EPA in accordance with Section X. of these Orders and within the following time frames, complete and approvable permit to install ("PTI") applications, detailed plans, and schedules for the removal and dewatering of all CCR material from the Stuart Ponds. The PTI applications shall include a procedure for demonstrating clean closure of each pond.
  - a. Within sixty (60) days after the effective date of these Orders, for Ponds 3A and 10;
  - b. Within three hundred sixty-five (365) days after the effective date of these Orders, for Ponds 5, 6, 7 and 7A;
13. Within ninety (90) days after the effective date of these Orders, Respondents shall submit to Ohio EPA for approval by the Director, in accordance with Section X. of these Orders, an updated plan for a ground water monitoring program for the Stuart Ponds (an individual or a multi-unit approach) which shall include the monitoring wells to be included in the ground water monitoring program. The number, construction, and location of the monitoring wells shall comply with OAC Rule 3745-27-10(B). The monitoring well system shall be able to characterize any contamination that has been released from the Stuart Ponds. This shall include all locations with constituent concentrations above a trigger level determined as set forth in Orders Nos. 4.b-g. The plan shall include all other requirements in Orders Nos. 4.b-g.
14. Within thirty (30) days of receipt of notification from Ohio EPA, Respondents shall provide Ohio EPA, in accordance with Section X. of these Orders, with a response addressing any comments or deficiencies and/or submitting any additional information with regard to the PTI applications, detailed plans and

schedules, the plans for the ground water monitoring programs, and other submittals required by these Orders.

15. Respondents shall implement the plan for the ground water monitoring program for the Stuart Ponds upon the Director's approval and shall complete the removal of all CCR material from the Stuart Ponds and clean closure of the Stuart Ponds in accordance with the approved PTIs and schedules.
16. Respondents shall notify Ohio EPA, in accordance with Section X. of these Orders within seven (7) days of completion of clean closure of each pond in accordance with the approved PTI.
17. Upon written request from the Respondents, the Director may allow cessation of ground water monitoring, or other appropriate ground water monitoring program changes, in relation to the Stuart Ponds if Respondents are able to demonstrate no exceedances of the ground water trigger levels occur within ground water monitoring wells sampled in accordance with the approved ground water monitoring plan for two consecutive sampling events.
18. Respondents shall submit to Ohio EPA in accordance with Section X. of these Orders and within the following time frames, complete and approvable PTI applications, detailed plans, and schedules for closure of Landfill 9 and Landfill 11, including but not limited to a cover system for each landfill, and a written post-closure plan for each landfill.
  - a. Within twenty-four (24) months after the effective date of these Orders for closure of Landfill 9;
  - b. Within eighteen (18) months after the effective date of these Orders for closure of Landfill 11.
19. Respondents shall complete closure and undertake post-closure care of Landfill 9 and Landfill 11 in accordance with the approved PTIs and schedules and post-closure plans.
20. If any requirement of these Orders conflicts with the Project Schedule, Respondents shall comply with the requirement in the Orders.
21. If Respondents are unable to meet a date in the Project Schedule or Orders, Respondents shall submit a written request for concurrence with an extension of any completion date specified in the Project Schedule or the Orders to Ohio EPA, in accordance with Section X. of these Orders, and shall include with the request an explanation of why an extension is necessary. The request for extension shall be submitted at least thirty (30) days prior to the specified completion date.

22. Respondents shall update the Project Schedule on an annual basis and submit the updated Project Schedule to Ohio EPA for approval in accordance with Section X.
23. Respondents shall take measures to control fugitive dust and other air emissions that may result from activities authorized by these Orders.
24. Respondents shall comply with applicable requirements in the federal CCR rules, 40 C.F.R. 257.50-257.107, when implementing these Orders. If there is a conflict between a requirement in these Orders and requirements of the federal CCR rules that cannot be reconciled, Respondents shall notify Ohio EPA of the conflict in writing, in accordance with Section X. of these Orders, to obtain resolution of the conflict. These Orders may be modified in accordance with Section IX. of these Orders if necessary to resolve differences with the federal CCR rules.

## **VI. TERMINATION**

Respondents' obligations under these Orders shall terminate when the Respondents certify in writing and demonstrate to the satisfaction of Ohio EPA that Respondents have performed all obligations under these Orders and the Chief of Ohio EPA's Division of Materials and Waste Management and the Chief of the Division of Surface Water acknowledge, in writing, the termination of these Orders. If Ohio EPA does not agree that all obligations have been performed, then Ohio EPA will notify Respondents of the obligations that have not been performed, in which case the Respondents shall have an opportunity to address any such deficiencies and seek termination as described above.

The certification shall contain the following attestation: "Kingfisher Development LLC, Hamerkop Development, LLC, and Commercial Liability Partners, LLC, certify that the information contained in or accompanying this certification is true, accurate and complete."

This certification shall be submitted by the Respondents to Ohio EPA and shall be signed by responsible officials of the Respondents. For purposes of these Orders, a responsible official is the principal executive officer, the ranking elected official, or other duly authorized employee.

## **VII. OTHER CLAIMS**

Nothing in these Orders shall constitute or be construed as a release from any claim, cause of action or demand in law or equity against any person, firm, partnership or corporation, not a party to these Orders, for any liability arising from, or related to, the Stuart or Carter Hollow Facilities, or from any claim, cause of action or demand in law or equity against Respondents for any liability arising from or related to the Stuart or Carter Hollow Facilities not specifically addressed in these Orders.

### **VIII. OTHER APPLICABLE LAWS**

All actions required to be taken pursuant to these Orders shall be undertaken in accordance with the requirements of all applicable local, state and federal laws and regulations. These Orders do not waive or compromise the applicability and enforcement of any other statutes or regulations applicable to Respondents.

### **IX. MODIFICATIONS**

These Orders may be modified by agreement of the parties hereto. Modifications shall be in writing and shall be effective on the date entered in the journal of the Director of Ohio EPA.

### **X. NOTICE**

All documents required to be submitted by Respondents pursuant to Orders Nos. 1 through 3 shall be addressed to:

Ohio Environmental Protection Agency  
Southeast District Office  
Division of Materials and Waste Management  
2195 Front Street  
Logan, Ohio 44087

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

All documents required to be submitted by Respondents pursuant to Orders Nos. 4 through 24 shall be addressed to:

Ohio Environmental Protection Agency  
Southeast District Office  
Division of Surface Water  
Attn: NPDES Permit Supervisor  
2195 Front Street  
Logan, Ohio 44087

and to:

Ohio Environmental Protection Agency  
Division of Surface Water  
Attn: Manager, Biosolids, Pretreatment, and PTI  
50 West Town Street, suite 700  
Columbus, Ohio 43215

or to such persons and addresses as may hereafter be otherwise specified in writing by Ohio EPA.

#### **XI. RESERVATION OF RIGHTS**

Ohio EPA and Respondents each reserve all rights, privileges and causes of action, except as specifically waived in Section XII of these Orders.

#### **XII. WAIVER**

Respondents consent to the issuance of these Orders and agree to comply with these Orders. Respondents hereby waive the right to appeal the issuance, terms and conditions, and service of these Orders, and Respondents hereby waive any and all rights Respondents may have to seek administrative or judicial review of these Orders either in law or equity.

Notwithstanding the preceding, Ohio EPA and Respondents agree that if these Orders are appealed by any other party to the Environmental Review Appeals Commission, or any court, Respondents retain the right to intervene and participate in such appeal. In such an event, Respondents shall continue to comply with these Orders notwithstanding such appeal and intervention unless these Orders are stayed, vacated or modified.

#### **XIII. EFFECTIVE DATE**

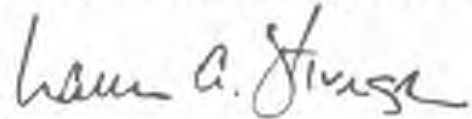
The effective date of these Orders is the date these Orders are entered into the Ohio EPA Director's journal.

#### **XIV. SIGNATORY AUTHORITY**

Each undersigned representative of a party to these Orders certifies that he or she is fully authorized to enter into these Orders and to legally bind such party to these Orders. The parties acknowledge and agree that this Order may be executed by electronic signature, which shall be considered as an original signature for all purposes and shall have the same force and effect as an original signature. Without limitation, "electronic signature" shall include faxed versions of an original signature or electronically scanned and transmitted versions (e.g., via pdf) of an original signature.

**IT IS SO ORDERED AND AGREED:**

**Ohio Environmental Protection Agency**



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Laurie A. Stevenson  
Director

12/24/2020

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Date

**IT IS SO AGREED:**

**Kingfisher Development, LLC**

  
\_\_\_\_\_  
Signature

December 23, 2020  
Date

Dennis Bennett  
Printed or Typed Name

General Counsel  
Title

**Hamerkop Development, LLC**

  
\_\_\_\_\_  
Signature

December 23, 2020  
Date

Ronald Froh  
Printed or Typed Name

President and CEO  
Title

**Commercial Liability Partners, LLC**

  
\_\_\_\_\_  
Signature

December 23, 2020  
Date

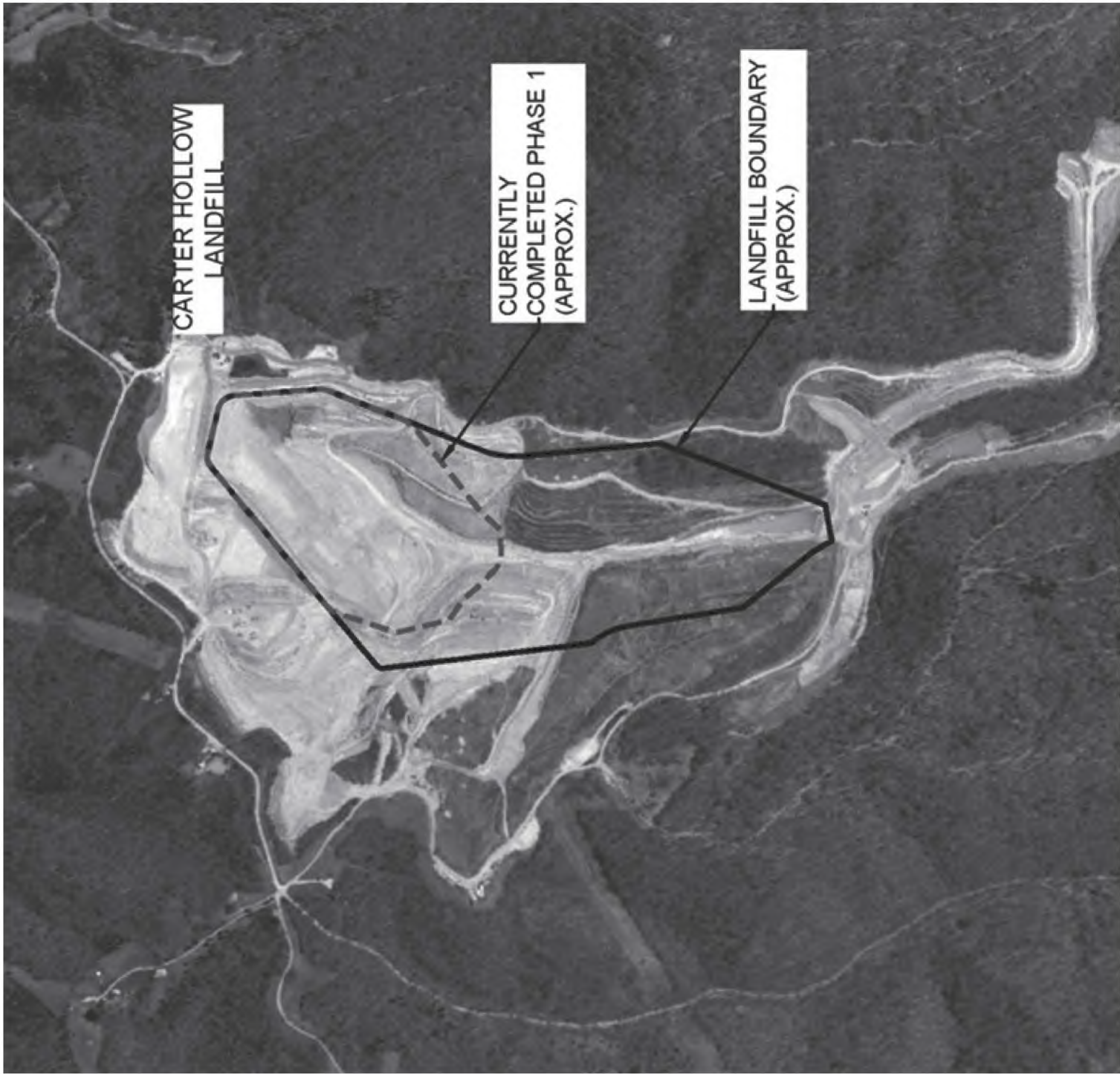
Ronald Froh  
Printed or Typed Name

President and CEO  
Title

# **Attachment A**



## **Attachment B**



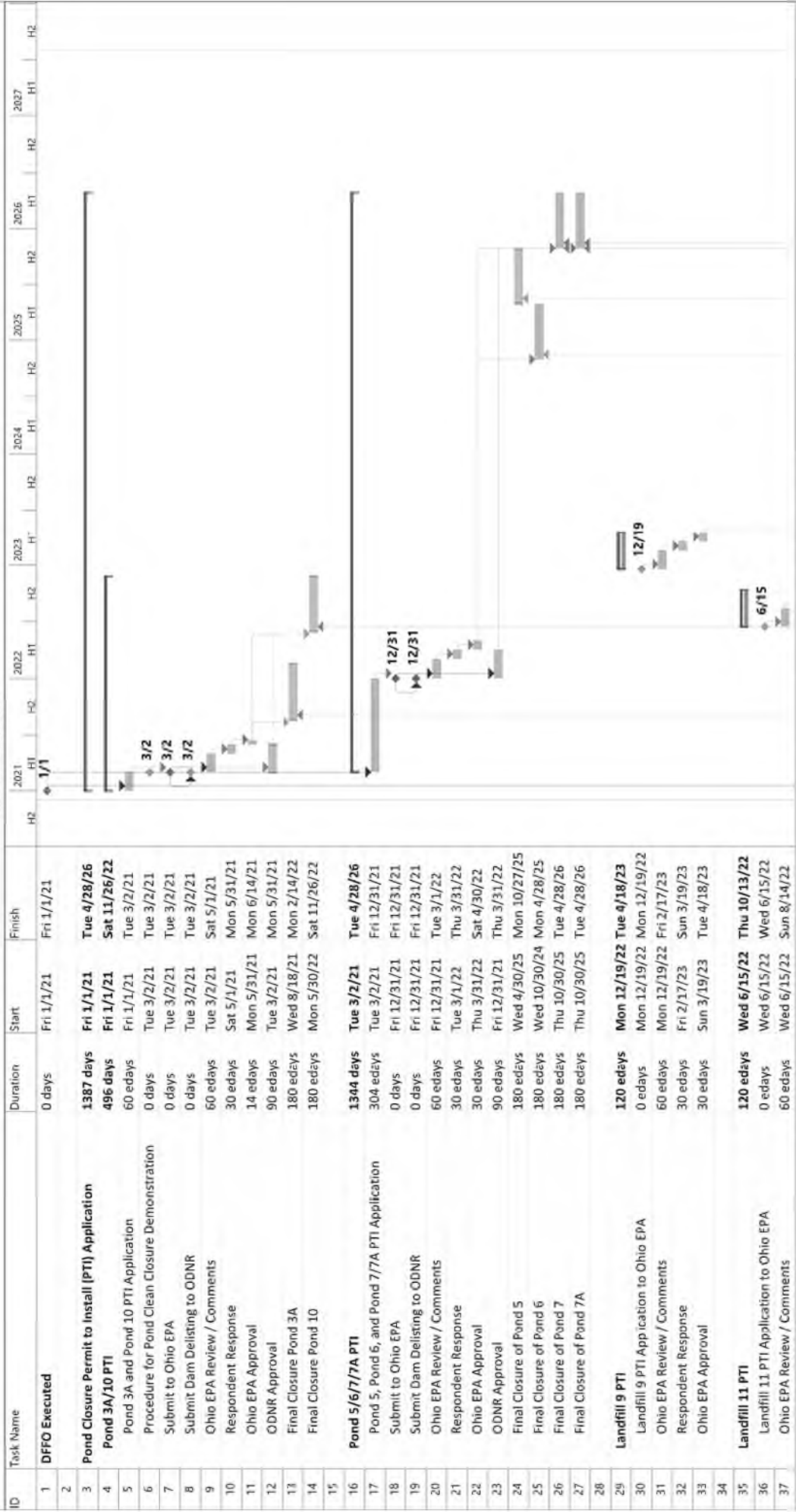
CARTER HOLLOW  
LANDFILL

CURRENTLY  
COMPLETED PHASE 1  
(APPROX.)

LANDFILL BOUNDARY  
(APPROX.)

# **Attachment C**

EXHIBIT 1  
PROJECT SCHEDULE  
Version 1 - 12/02/2020



ID	Task Name	Duration	Start	Finish
1	<b>DFFO Executed</b>	0 days	Fri 1/1/21	Fri 1/1/21
2				
3	<b>Pond Closure Permit to Install (PTI) Application</b>	1387 days	Fri 1/1/21	Tue 4/28/26
4	<b>Pond 3A/10 PTI</b>	496 days	Fri 1/1/21	Sat 11/26/22
5	Pond 3A and Pond 10 PTI Application	60 edays	Fri 1/1/21	Tue 3/2/21
6	Procedure for Pond Clean Closure Demonstration	0 days	Tue 3/2/21	Tue 3/2/21
7	Submit to Ohio EPA	0 days	Tue 3/2/21	Tue 3/2/21
8	Submit Dam Delisting to ODNR	0 days	Tue 3/2/21	Tue 3/2/21
9	Ohio EPA Review / Comments	60 edays	Tue 3/2/21	Sat 5/1/21
10	Respondent Response	30 edays	Sat 5/1/21	Mon 5/31/21
11	Ohio EPA Approval	14 edays	Mon 5/31/21	Mon 6/14/21
12	ODNR Approval	90 edays	Tue 3/2/21	Mon 5/31/21
13	Final Closure Pond 3A	180 edays	Wed 8/18/21	Mon 2/14/22
14	Final Closure Pond 10	180 edays	Mon 5/30/22	Sat 11/26/22
15				
16	<b>Pond 5/6/7/7A PTI</b>	1344 days	Tue 3/2/21	Tue 4/28/26
17	Pond 5, Pond 6, and Pond 7/7A PTI Application	304 edays	Tue 3/2/21	Fri 12/31/21
18	Submit to Ohio EPA	0 days	Fri 12/31/21	Fri 12/31/21
19	Submit Dam Delisting to ODNR	0 days	Fri 12/31/21	Fri 12/31/21
20	Ohio EPA Review / Comments	60 edays	Fri 12/31/21	Tue 3/1/22
21	Respondent Response	30 edays	Tue 3/1/22	Thu 3/31/22
22	Ohio EPA Approval	90 edays	Thu 3/31/22	Sat 4/30/22
23	ODNR Approval	180 edays	Fri 12/31/21	Thu 3/31/22
24	Final Closure of Pond 5	180 edays	Wed 4/30/25	Mon 10/27/25
25	Final Closure of Pond 6	180 edays	Wed 10/30/24	Mon 4/28/25
26	Final Closure of Pond 7	180 edays	Thu 10/30/25	Tue 4/28/26
27	Final Closure of Pond 7A	180 edays	Thu 10/30/25	Tue 4/28/26
28				
29	<b>Landfill 9 PTI</b>	120 edays	Mon 12/19/22	Tue 4/18/23
30	Landfill 9 PTI Application to Ohio EPA	0 edays	Mon 12/19/22	Mon 12/19/22
31	Ohio EPA Review / Comments	60 edays	Mon 12/19/22	Fri 2/17/23
32	Respondent Response	30 edays	Fri 2/17/23	Sun 3/19/23
33	Ohio EPA Approval	30 edays	Sun 3/19/23	Tue 4/18/23
34				
35	<b>Landfill 11 PTI</b>	120 edays	Wed 6/15/22	Thu 10/13/22
36	Landfill 11 PTI Application to Ohio EPA	0 edays	Wed 6/15/22	Wed 6/15/22
37	Ohio EPA Review / Comments	60 edays	Wed 6/15/22	Sun 8/14/22

Project: Exhibit 1 - Project Schedule rev  
Date: Wed 12/2/20

Task Milestone

Summary

Project Summary

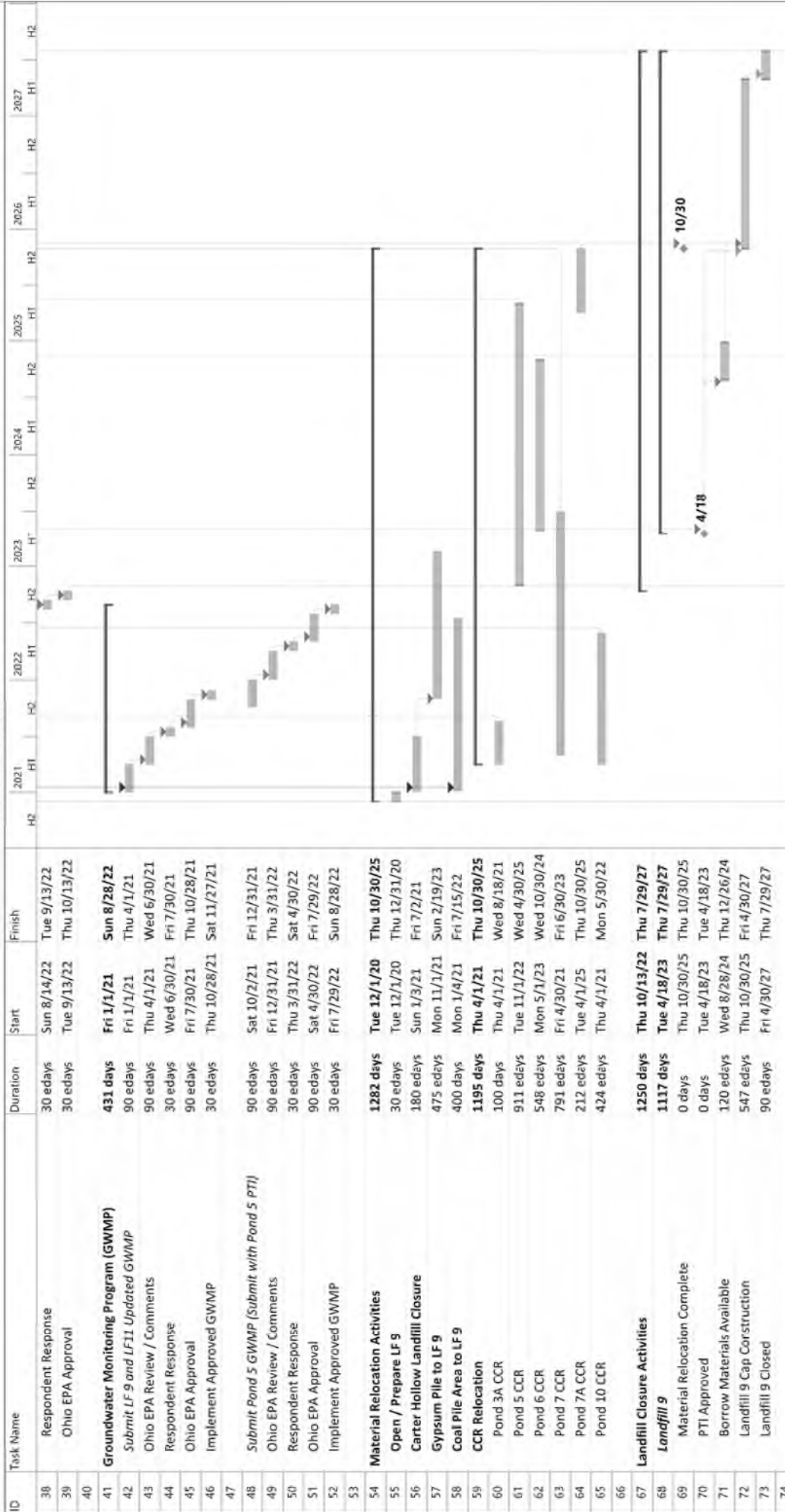
Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

EXHIBIT 1  
PROJECT SCHEDULE  
Version 1 - 12/02/2020



Task Milestone Summary Project Summary Duration-only Manual Task Manual Summary Rollup Manual Summary

EXHIBIT 1  
PROJECT SCHEDULE  
Version 1 - 12/02/2020

ID	Task Name	Duration	Start	Finish		2021	2022	2023	2024	2025	2026	2027
						H2	H1	H2	H1	H2	H1	H2
75	<b>Landfill 11</b>	<b>1094 edays</b>	<b>Thu 10/13/22</b>	<b>Wed 12/23/26</b>								
76	Material Relocation Complete	0 days	Wed 10/30/24	Wed 10/30/24								
77	PTI Approved	0 days	Thu 10/13/22	Thu 10/13/22								
78	Borrow Materials Available	120 edays	Wed 8/28/24	Thu 12/26/24								
79	Landfill 11 Cap Construction	547 edays	Thu 12/26/24	Fri 6/26/26								
80	Landfill 11 Closed	180 edays	Fri 6/26/26	Wed 12/23/26								

Project: Exhibit 1 - Project Schedule rev  
Date: Wed 12/2/20

Task: [ ] Summary [ ] Manual Task [ ] Manual Summary Rollup [ ]  
Milestone: [ ] Project Summary [ ] Duration-only [ ] Manual Summary [ ]

Attachment – i en tati n Aeria

