



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

CERTIFIED MAIL

May 1, 2014

Mr. Dana Sheets
AEP Generation Resources, Inc.
1 Riverside Plaza
Columbus, OH 43215

RE: Gavin Plant Residual Waste Landfill
Permit – Long Term
Approval
Solid Waste
Gallia County
RSWL018808

Dear Mr. Sheets:

The Ohio Environmental Protection Agency, pursuant to Ohio Administrative Code Rule 3745-27-02 and the rules adopted thereunder, has reviewed the application for a permit with accompanying detail plans, specifications and/or information (hereinafter referred to as "application") regarding the above-referenced facility. This application has been approved by the Director subject to the conditions of compliance contained in the permit approval enclosed herewith and with all applicable laws, rules and standards. All construction must be supervised by an engineer or expert qualified in such work. Because the permit approval contains conditions of compliance, I urge you to read it carefully.

You are requested to submit within thirty (30) days of the date of issuance of this Permit to Install, the required permit fee balance of seventy nine thousand six hundred dollars (\$80,000.00 - \$400.00 application fee = \$79,600.00), payable to **Treasurer, State of Ohio**. Please send the required payment to:

Ohio Environmental Protection Agency
Permit to Install Fee
Dept L-2711
Columbus, OH 43260-2711

Payment of the \$79,600.00 fee within 30 days is a requirement of ORC Sections 3745.11 (Q) and (V). Failure to timely submit the required permit fee will result in an assessment of late penalties.

Mr. Dana Sheets
AEP Generations Resources, Inc.
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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 Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Appeals 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 at the following address:

Environmental Review Appeals Commission
77 South High Street
17th Floor
Columbus, Ohio 43215

If you have any questions, please contact the Ohio EPA District Office to which you submitted your application.

Sincerely,



Georgia Frakes, Management Analyst
Division of Materials and Waste Management

Enclosures: Permit to Install and Invoice

cc: Brad Mitchell, DMWM, CO
Scott Hester, DMWM, CO
Fanny Haritos, DMWM, CO
Amber Finkelstein, PIC
Joe Goicochea, DMWM, SEDO
Rich Fox, DMWM, SEDO
Brian Queen, DMWM, SEDO
Paul Novak, DMWM, SEDO
Daniel Messerly, DSW, SEDO
Barb Bradley, Gallia County Health Department

Ohio EPA Invoice/Receipt

Date Printed: May 01, 2014

Revenue ID: 980675

Please include this Revenue ID with all correspondence.

Place ID: 16700

Information: Gavin Plant Residual Waste Landfill
7397 N St Rt 7
Cheshire, OH 45620-

Due Date:

Amount Due:

Effective Date: May 01, 2014

Revenue Description: DSIWM- Permit to Install (Solid Waste)

Program Name: Solid Waste Programs

Reason: Permit Fee Balance Due

For some Revenues, Interest and/or Penalties may be charged for late payment.

Next Interest Date (if applicable):

Next Penalty Date (if applicable):

Remittance Advice

Detach Here - Please Return This Portion With Your Payment

Place ID: 16700

Information: Gavin Plant Residual Waste Landfill
7397 N St Rt 7
Cheshire, OH 45620-

Due Date:

Amount Due:

Secondary Type/Id: RSWLF / RSWL018808

Revenue Type: PTISW

Amount Enclosed: \$ _____

Please write this number on your check. Revenue ID: 980675
Make check or money order payable to "Treasurer, State of Ohio"

Remit to: Ohio Environmental Protection Agency - OFA
Department L-2711
Columbus, OH 43260-2711

For Ohio EPA use only

Check ID: _____

Check Date: _____

Check Number: _____

Check Amount: \$ _____

OHIO ENVIRONMENTAL PROTECTION AGENCY
PERMIT-TO-INSTALL

OHIO E.P.A.

MAY - 1 2014

FILED DIRECTOR'S JOURNAL

Application Number: 06-08447
Application Received: August 29, 2011
Permit Fee: \$80,000.00
Permit Fee Balance: \$79,600.00

Applicant: AEP Generation Resources, Inc.
Address: 1 Riverside Plaza
Columbus, Ohio 43215

Name: Gavin Plant Residual Waste Landfill (Gavin Landfill)

Location: 1.25 miles northwest of the Gavin Power Plant. The plant is located next to Cheshire, Ohio on the Ohio River at river mile 258. The facility is within Addison Township, Gallia County.

PTI: Lateral and Vertical Expansion

Issuance Date: May 1, 2014

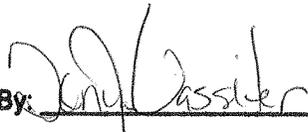
Effective Date: May 1, 2014

The above-named entity is hereby issued a permit-to-install (permit) for the above-described source pursuant to Ohio Administrative Code (OAC) Rule 3745-27-02. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed and/or modified in accordance with the plans, specifications, and/or information accompanying the permit application, the above-described source of environmental pollutants will operate in compliance with applicable state and federal laws, rules, and regulations, and does not constitute expressed or implied assurances that, if constructed and/or modified in accordance with those plans, specifications, and/or information accompanying the permit application, the above-described source of environmental pollutants will be granted the necessary operating permits and/or licenses. This permit is issued subject to the attached conditions which are hereby incorporated and made a part hereof.

Ohio Environmental Protection Agency

I certify this to be a true and accurate copy of the official documents as filed in the records of the Ohio Environmental Protection Agency.


Craig W. Butler, Director

By:  Date: 5-1-14

PERMIT SUMMARY

This is a final permit (PTI No 06-08447) which authorizes lateral and vertical expansion of the Gavin Plant Residual Waste Landfill (Facility), an existing residual waste landfill in Gallia County. AEP Generation Resources, Inc. (AEP) is the applicant for the permit to install.

The approved disposal area will increase by 149 acres to a total of 404 acres and the approved disposal capacity will increase by 45.5 million cubic yards to 94.2 million cubic yards. The anticipated life expectancy is 22 years based on the anticipated average daily waste receipt of 8,900 tons.

The Facility's design includes a composite liner system, which consists of a twenty-four inch thick recompacted soil liner and a thirty mil polyvinylchloride (PVC) geomembrane; a leachate collection system; a surface water management system; a ground water monitoring system; and a final closure cap system. The permit also incorporates fifteen years of post-closure care and financial assurance for closure and post-closure care.

This summary is provided solely for informational purposes and does not constitute a part of, or otherwise affect, the attached permit.

PERMIT CONDITIONS

1. The director of the Ohio Environmental Protection Agency (Ohio EPA), or an authorized representative, may enter upon the premises of the above-named applicant (permittee) at any reasonable time during construction and operation for the purpose of making inspections, conducting tests, or examining records or reports pertaining to the construction, modification, or installation of the above-described source of environmental pollutants (residual solid waste disposal facility).
2. The Facility shall be constructed in strict accordance with the plans, specifications, and information submitted to Ohio EPA which constitute this permit. There shall be no deviation from the approved permit or permit conditions without the express written approval of Ohio EPA. Any deviation from the approved permit or the permit conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the Facility will operate in compliance with all Ohio laws and regulations. Additional landfill components shall be installed upon orders of Ohio EPA if the Facility is inadequate or cannot meet applicable standards.

3. Issuance of this permit does not relieve the permittee of the duty to comply with all applicable federal, state, and local laws, ordinances, and regulations.
4. This permit shall apply only to the Facility shown on the plans submitted as part of PTI Application Number 06-08447, as received on August 29, 2011, with subsequent revisions received on April 17, 2012, August 3, 2012, and December 12, 2012.
5. This permit approval may be modified, or alternatively revoked and reissued, to comply with any revisions to OAC Chapter 3745-30 applicable to this residual solid waste disposal facility.
6. The permittee shall provide for the proper maintenance and operation of the residual solid waste disposal facility in accordance with the provisions of OAC Chapter 3745-30.
7. Nothing in this permit shall be construed to authorize any waiver from the requirements of any applicable federal or state laws or regulations except as specified herein. This permit shall not be interpreted to release the permittee from responsibility under Ohio Revised Code (ORC) Chapters 3704, 3714, 3734, or 6111; under the Federal Clean Water Act, the Resource Conservation and Recovery Act, or the Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.
8. This permit does not authorize the acceptance of any hazardous or infectious wastes.
9. This permit does not authorize the acceptance of any asbestos or asbestos-containing waste material that is subject to the provisions of NESHAP, 40 CFR, Part 61, Subpart M.
10. Not later than seven (7) days prior to starting any construction authorized by this permit, the permittee shall submit to Ohio EPA, Southeast District Office (SEDO), Division of Materials and Waste Management (DMWM) and the Gallia County Health Department (GCHD) written notification of the anticipated construction start date so that construction of this Facility can be routinely inspected by Ohio EPA, SEDO, DMWM and GCHD before the Facility is placed into operation.

11. The permittee shall perform the following activities during construction and operation of the Facility in accordance with the cited provisions of OAC Chapter 3745-30 as follows:
 - a. The test pad required by OAC Rule 3745-30-07(F)(1) shall be constructed, as necessary, and a report containing the test results shall be submitted to Ohio EPA, DMWM, SEDO not later than fourteen (14) days prior to the initial construction date of the landfill component that the test pad models. Each lift of the test pad shall be tested not less than twice for the maximum dry density and optimum moisture content according to ASTM D698-00a (standard proctor), or ASTM D1557-00 (modified proctor), grain size distribution using ASTM D422-63 (sieve and hydrometer), and Atterberg limits using ASTM D4318-00.
 - b. The pre-construction tests required by OAC Rule 3745-30-07(D) shall be performed and the test results submitted to Ohio EPA, SEDO, DMWM not later than seven (7) days prior to the intended use of the materials in construction.
 - c. The construction certification report required by OAC Rule 3745-30-07(B) shall be submitted to Ohio EPA, DMWM, SEDO and GCHD not later than forty-five (45) days prior to the anticipated date of waste receipt in newly constructed areas. The permittee shall not accept waste in a sequence until Ohio EPA, DMWM, SEDO provides written concurrence of the construction certification report for that sequence.

12. The permittee shall provide for the following inspections and facility maintenance:
 - a. The permittee shall provide for daily inspection of the Facility and completion of the Daily Inspection Checklist and the Daily Log of Operations as specified in the PTI application. Written results of the inspections, including any corrective measures employed, shall be made available to Ohio EPA, DMWM, SEDO or the GCHD.
 - b. Surface water control structures, including sedimentation basins, sedimentation basin discharge structures, pipes, ditches, and culverts, shall be inspected at least monthly for erosion, clogging, or failure and prompt corrective action shall be taken if necessary. A log documenting inspection results, any corrective measures taken, any water quality samples taken, and the date and weather conditions during any water

quality sampling shall be maintained on site and submitted to Ohio EPA, DMWM, SEDO or the GCHD upon request.

- c. To ensure proper operation of sedimentation basins, the basins shall be cleaned out when the sediment storage volume, as measured at the principal spillway, has reached sixty percent of the height of the principal spillway. This height shall be measured from the base of the sedimentation pond to the inlet elevation of the principal spillway.
13. For slopes exceeding a grade of 15 percent, the permittee shall place protective cover and granular drainage layer from the base upward to the top of the slope. The permittee shall not place protective cover and granular drainage layer from the top downward to the base or across the slope.
14. The permittee shall fund a new financial assurance instrument or increase the amount listed on the existing financial assurance instrument in accordance with OAC Rules 3745-27-15, 3745-27-16, and 3745-27-17 for the current cost estimates of the facility including the costs for the newly authorized disposal area. Funding shall be completed prior to waste acceptance in any disposal area newly authorized by this permit to install.
15. The permittee shall not conduct leachate recirculation at the Facility without prior written approval from Ohio EPA.
16. The permittee shall continue to comply with all existing applicable authorizing documents for the Facility. However, the design, construction, operation, closure, and post-closure activities authorized by this permit (PTI No 06-08447), as set forth in the plans, specifications and information that constitute this permit and the conditions set forth in this permit, shall take precedence over any conflicting plans, specifications, information, or conditions.

END OF PERMIT CONDITIONS



**Division of Materials and Waste Management
Response to Comments**

**Subject: Gavin Plant Residual Waste Landfill, Gallia County
Permit-to-Install (PTI No.06-08447): Lateral and Vertical
Expansion**

**Re: Gavin Plant Residual Waste Landfill; Permit - Long Term; Public
Response; Residual Solid Waste Landfills; Gallia County;
RSWL018808**

Agency Contacts for this Project

Division Contacts: Brian Queen
(740) 380-5420
brian.queen@epa.ohio.gov

Public Involvement Coordinator: Amber Kent
(614) 644-2160
amber.kent@epa.ohio.gov

Ohio EPA held a public hearing on February 6, 2014 regarding a draft permit-to-install for the AEP Generation Resources' Gavin Plant Residual Waste Landfill. This document summarizes the comments and questions received at the public hearing and during the associated comment period, which ended on February 7, 2014.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health. Often, public concerns fall outside the scope of that authority. For example, concerns about zoning issues are addressed at the local level. Ohio EPA may respond to those concerns in this document by identifying another government agency with more direct authority over the issue.

All comments received are part of the official record and have received consideration by Ohio EPA in making a final decision on the issuance of this permit.

Landfill Operational Concerns

Comment 1: Neighbors expressed concerns regarding excessive dust periodically emanating from the facility waste disposal areas.

Response 1: The owner and operator of a residual solid waste landfill are required to operate the facility in such a manner that strictly controls dust so as not to cause a nuisance or health hazard [OAC Rule 3745-30-14(B)(3)]. Furthermore, the owner and operator are required to employ all necessary means to ensure that dusty materials are handled, compacted, and covered in such a manner as to minimize the amount of dust that is generated by those materials [OAC Rule 3745-30-14(E)(7)(e)]. Ohio EPA and Gallia County Health Department inspect Gavin Plant Residual Waste Landfill and investigate complaints to ensure compliance with applicable operational requirements. If dust is detected in the community, citizens are encouraged to report complaints to Ohio EPA and Gallia County Health Department.

Comment 2: Neighbors expressed concerns regarding the strong odor (hydrogen sulfide) that comes from the facility waste disposal areas.

Response 2: The owner and operator of a residual solid waste landfill are required to operate the facility in such a manner that strictly controls odor so as not to cause a nuisance or health hazard [OAC Rule 3745-30-14(B)(3)]. Ohio EPA and Gallia County Health Department inspect Gavin Plant Residual Waste Landfill and investigate complaints to ensure compliance with applicable operational requirements. If odor is detected in the community, citizens are encouraged to report complaints to Ohio EPA and Gallia County Health Department.

End of Response to Comments