

OHIO ENVIRONMENTAL PROTECTION AGENCY

PERMIT TO INSTALL

OHIO E.P.A.

MAR 16 2009

OHIO ENVIRONMENTAL PROTECTION AGENCY

Application Number: 06-08301
Application Received: May 4, 2007
Permit Fee: \$80,000.00
Permit Fee Balance: \$79,600.00

Applicant: American Municipal Power-Ohio, Inc.
Address: 2600 Airport Drive
Columbus, Ohio 43219

Name: American Municipal Power – Ohio Generating Station Residual Solid Waste Landfill (AMPGS Landfill)

Location: The Facility is located between the intersections of Hill Road and State Route 124, and Hill Road and East Letart Road. The Facility is within Letart Township, Meigs County.

Permit: New Residual Solid Waste Landfill

Issuance Date: **MAR 16 2009**

Effective Date: **MAR 16 2009**

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.


Chris Korleski, Director

By: Janda Kasser Date: 3-16-09

PERMIT SUMMARY

This **FINAL** permit (PTI Number 06-08301) authorizes construction of AMPGS Landfill (Facility), a new residual solid waste landfill in Meigs County. American Municipal Power-Ohio, Inc. (AMP-Ohio) is the applicant for the permit to install.

AMP-Ohio proposes to construct a 133-acre disposal area that will have a capacity of approximately 27.4 million cubic yards. The anticipated daily waste receipt at the Facility is 2,200 tons. The Facility's anticipated life is 41.4 years.

The Facility's design includes the following: a composite liner system that consists of an 18-inch recompacted soil liner and a 60 mil high density polyethylene (HDPE) 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 15 years of post-closure care and financial assurance for closure and post-closure care.

This permit grants AMP-Ohio the following two exemptions: from OAC Rule 3745-30-05(C)(10)(d), which requires AMP-Ohio to submit in the permit application proof of property ownership or lease agreement to use the property where the landfill is to be located as a residual waste landfill facility; and from OAC Rule 3745-30-07(C)(4)(d)(iv), which requires that a sedimentation pond be lined.

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 as part of the permit application. There shall be no deviation from the approved plans without the express, written approval of Ohio EPA. Any deviation from the approved plans 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 proposed residual solid waste disposal 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 those facilities shown on the plans submitted as part of PTI Application Number 06-08301, received on May 4, 2007, with subsequent revisions received on December 24, 2007, and April 24, 2008.
5. This permit 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. No such asbestos or asbestos-containing waste material may be accepted without first obtaining the necessary permits from Ohio EPA.
10. Not later than seven days prior to starting any construction authorized by this permit, the permittee shall submit to Ohio EPA, Southeast District Office (SEDO) and the Meigs County Health Department proof of property ownership or lease agreement to use the properties shown within the facility boundary on plan sheet 2C as a residual waste landfill facility.
11. Not later than seven days prior to starting any construction authorized by this

permit, the permittee shall submit to Ohio EPA, Southeast District Office (SEDO) and the Meigs County Health Department written notification of the anticipated construction start date so that construction of this Facility can be routinely inspected by Ohio EPA, SEDO and the Meigs County Health Department before the Facility is placed into operation.

12. The permittee shall clear naturally occurring vegetation only to the extent necessary to prepare for construction that will occur within three years of the clearing of the vegetation.
13. 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, SEDO not later than 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 for the maximum dry density and optimum moisture content according to ASTM D698-00a (standard proctor) or ASTM D1557-00 (modified proctor), for grain size distribution using ASTM D422-63 (sieve and hydrometer), and for Atterberg limits using ASTM D4318-00. The test methods above shall be performed at least twice for each lift of the test pad.
 - 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 not later than seven days prior to the intended use of the materials in construction.
14. 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 Residual Solid Waste Landfill Facility Inspection Checklist. Written results of the inspections, including any corrective actions taken, shall be made available to Ohio EPA or the Meigs County Health Department upon request.
 - b. Surface water control structures, including sedimentation ponds, sedimentation pond 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 actions 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, SEDO or the Meigs County Health Department upon request.

- c. To ensure proper operation of sedimentation pond(s), the pond(s) shall be cleaned out when the sediment storage volume, as measured at the primary riser, has reached 60 percent of the height of the primary riser. This height shall be measured from the base of the sedimentation pond to the top of the lowest inlet orifice on the primary riser.
15. The permittee shall execute and fund a financial assurance instrument meeting the requirements of OAC Rules 3745-27-15, 3745-27-16, and 3745-27-17 prior to waste acceptance.
16. Prior to the acceptance of waste in Phase 1 Cell 1B, the permittee shall obtain authorization to re-phase the Facility so that the portions of the Facility within the drainage areas of the streams designated bm-s13d, bm-s13, bm-s18, bm-s19trib, bm-s20trib, bm-s20, and bm-s21 on figure 5 of Appendix 4-1D Army Corps of Engineers Wetlands Delineation Correspondence will be constructed after all other portions of the Facility have been constructed.
17. The portions of the Facility within the drainage areas of the streams designated bm-s13d, bm-s13, bm-s18, bm-s19trib, bm-s20trib, bm-s20, and bm-s21 on figure 5 of Appendix 4-1D Army Corps of Engineers Wetlands Delineation Correspondence are only authorized for construction by this permit if gypsum is being produced as part of the flue gas desulfurization process at the American Municipal Power Generating Station Power Plant. If ten years after the issuance of this permit gypsum is not being produced as part of the flue gas desulfurization process at the American Municipal Power Generating Station Power Plant, the permittee shall obtain authorization to revise the permit to eliminate the portions of the Facility within the drainage areas of the streams designated bm-s13d, bm-s13, bm-s18, bm-s19trib, bm-s20trib, bm-s20, and bm-s21 on figure 5 of Appendix 4-1D Army Corps of Engineers Wetlands Delineation Correspondence.
18. In accordance with OAC Rule 3745-27-02(I)(1), this permit shall terminate three years after its effective date if the permittee has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation of the Facility.
19. Pursuant to ORC Sections 3745.11(Q) and (V), payment of the solid waste permit to install fee balance, in the amount of \$79,600.00 payable to "Treasurer, State of Ohio," shall be submitted to Ohio EPA, Attn: Fiscal Administration, P.O. Box 1049,

Columbus, Ohio 43216-1049. The fee balance shall be submitted within 30 days of the effective date of this permit. Failure to timely submit the required permit fee balance will result in assessment of late penalties in accordance with ORC Sections 3745.11(Q) and (V).

END OF PERMIT CONDITIONS

ORC Section 3734.02(G) Exemption from OAC Rule 3745-30-05(C)(10)(d)

The permittee has requested an exemption from OAC Rule 3745-30-05(C)(10)(d), which requires the permittee to submit in the permit application proof of property ownership or lease agreement to use the property where the landfill is to be located as a residual waste landfill facility.

The permittee is a not-for-profit corporation with a core purpose of providing a cost-effective, reliable power supply to its members. The permittee currently holds options to purchase all property within the facility boundary and plans to purchase these properties prior to construction of the Facility. Exercising all of the necessary purchase options will entail the expenditure of millions of dollars. AMP-Ohio believes it is in its members' best interest to exercise the purchase options only after all necessary environmental permits have been secured and the project moves closer to the construction phase.

Pursuant to ORC Section 3734.02(G), the director may, by order, exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes, or processing solid wastes that consist of scrap tires, 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 other requirements of ORC Chapter 3734.

Because the permittee is a not-for-profit corporation that currently holds options to purchase all property within the facility boundary, and because the permittee plans to purchase these properties prior to construction of the Facility, granting an exemption from OAC Rule 3745-30-05(C)(10)(d) is unlikely to adversely affect the public health or safety or the environment. Therefore, pursuant to ORC Section 3734.02(G), the permittee is hereby granted an exemption from OAC Rule 3745-30-05(C)(10)(d), which requires the permittee to submit in the permit application proof of property ownership or lease agreement to use the property where the landfill is to be located as a residual waste landfill facility. This exemption shall remain in effect throughout the effective period of this permit unless otherwise revoked. This exemption will expire if this permit is terminated.

ORC Section 3734.02(G) Exemption from OAC Rule 3745-30-07(C)(4)(d)(iv)

The permittee has requested an exemption from OAC Rule 3745-30-07(C)(4)(d)(iv), which requires that a sedimentation pond be lined.

This sedimentation pond liner requirement is stricter than the similar requirement in the municipal solid waste rules. Specifically, OAC Rule 3745-27-08 does not require sedimentation ponds to be lined at municipal solid waste landfills. There are four proposed sedimentation ponds for the Facility. Except for the lack of a constructed liner, their designs meet all of the other criteria specified in OAC Rule 3745-30-07(C)(4)(d) for storage volume and spillway design. The ponds are to retain only non-contact storm water runoff. The ponds are not to receive any leachate or storm water that comes in contact with waste. The outfalls of the sedimentation ponds will be monitored through an NPDES discharge permit.

Pursuant to ORC Section 3734.02(G), the director may, by order, exempt any person generating, collecting, storing, treating, disposing of, or transporting solid wastes, or processing solid wastes that consist of scrap tires, 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 other requirements of ORC Chapter 3734.

Because the sedimentation ponds are designed to meet all storage volume and spillway design requirements, and because the sedimentation ponds are to retain only storm water runoff that does not contact waste, granting an exemption from the requirement of OAC Rule 3745-30-07(C)(4)(d)(iv) is unlikely to adversely affect the public health or safety or the environment. Therefore, pursuant to ORC Section 3734.02(G), the permittee is hereby granted an exemption from OAC Rule 3745-30-07(C)(4)(d)(iv), which requires that a sedimentation pond be lined. This exemption shall remain in effect throughout the effective period of this permit unless otherwise revoked.



Division of Solid and Infectious Waste Management (DSIWM)

Response to Comments

Project: American Municipal Power Ohio Generating Station
Residual Solid Waste Landfill Permit-to-Install Application

Ohio EPA ID #: No. 06-08301

Agency Contacts for this Project

Division Contact: Brian Queen, DSIWM, 740-380-5420, Brian.Queen@epa.state.oh.us
Public Involvement Coordinator: Jed Thorp, 614-644-2160, Jed.Thorp@epa.state.oh.us

Ohio EPA held a joint public hearing on August 5, 2008, regarding the Draft Permit-to-Install (PTI) Application for the American Municipal Power – Ohio Generating Station (AMPGS) Residual Solid Waste (RSW) Landfill, which is a proposed Class III residual solid waste landfill and wastewater discharge permit. This document summarizes Ohio EPA's responses to the comments and questions that were directed or pertained to the RSW Landfill permit received at the public hearing and/or during the associated public comment period, which ended on August 26, 2008. Approximately 113 persons attended the meeting, 33 persons gave oral testimony, and four persons sent in written testimony specifically on the landfill permit. About 70% of those providing testimony were in favor of the issuance of the permits. Ohio EPA's responses to the comments and questions that were directed or pertained to the wastewater discharge permit were issued in a separate document.

Ohio EPA has reviewed and considered all inquiries received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to the 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.

In an effort to help you review this document, the questions are grouped by topic and organized in a consistent format.

Comment 1: Mr. Nachy Kanfer and several other commenters stated their opposition to Ohio EPA's issuance of an exemption from the requirement to line the sedimentation ponds at the facility.

Response 1: The purpose in lining a sedimentation pond is to prevent contaminants, carried by surface water from the waste disposal area to the sedimentation pond, from leaking out of the pond into ground water before the water can be treated and released to the receiving stream. This exemption is being issued because the landfill's sedimentation ponds will not be allowed to collect water that has come in contact with waste (i.e., leachate). Because no leachate will be directed to these sedimentation ponds, the director of Ohio EPA has determined that granting this exemption

is unlikely to adversely affect the public health or safety or the environment.

Comment 2: Mr. Nachy Kanfer and several other commenters stated they felt Ohio EPA should require the applicant to reduce the size of the landfill since the applicant is planning on generating less waste than what the landfill is able to accept over the planned life span of the power plant. Ms. Sandra Sleight-Brennan feels the landfill is undersized since its planned life is forty years and the power plant's design life is fifty years.

Response 2: Ohio EPA is responsible for evaluating landfill permits based on the applicable laws and regulations. These laws and regulations were written in order to protect human health and safety as well as the environment. However, Ohio EPA does not have the regulatory authority to require a landfill be a certain size based on need. Since Ohio EPA does not have this authority, we are unable to meet the commenters' requests to require an increase or decrease in the size of the landfill. If American Municipal Power – Ohio (AMP-Ohio) decides to increase or decrease the size of the landfill sometime in the future, additional authorizations will need to be obtained from Ohio EPA.

Comment 3: Ms. Loraine McKosker stated that landfills within the Gallia, Jackson, Meigs, Vinton solid waste management district accepted the second greatest tonnage of solid waste (3,151,265) tons in 2006, of which, 2.8 million tons was flue gas desulfurization (FGD) sludge. And that one of the goals of solid waste management districts is to reduce the amount of waste that needs to be disposed in their districts. She also asked how the solid waste management district will meet this goal if the new power plant is built and begins generating waste.

Response 3: AMP-Ohio is planning on using Powerspan technology at AMPGS to remove sulfur from the flue gas and create a fertilizer instead of generating FGD. If successful, this technology will result in the diversion of over 475,000 tons of waste per year from the landfill. This amount of waste is nearly eight times the amount that is currently being diverted from disposal by recycling in the Gallia, Jackson, Meigs, Vinton solid waste management district.

Furthermore, the district can demonstrate that any industrial waste, like FGD, does or will prevent the district from being able to achieve the 66 percent reduction and recycling rate for the industrial sector. Such a demonstration must prove that the waste is inherently "non-recyclable," thereby making it impossible for the district to demonstrate compliance with the 66 percent industrial solid waste reduction and recycling goal. The district then must demonstrate that at least 66 percent of the remaining

industrial solid waste (i.e., without the non-recyclable industrial waste) is or will be recycled. Because a large portion of the FGD will be used as fertilizer, making this demonstration would be difficult for any FGD disposed. However, it is an option for the district if AMP-Ohio is unable to recycle the FGD.

Comment 4: Ms. Elisa Young asked how close underground mines could come to the limits of the landfill.

Response 4: At this time, no mining is proposed near the AMPGS landfill. Underground mining is not typically authorized within 300 feet of the limits of waste placement. The Ohio Department of Natural Resources (ODNR) regulates underground mining activities. Their regulations prohibit mining in unapproved areas, and ODNR personnel regularly monitor mining activities to verify that mining is not occurring in unauthorized areas. ODNR will not typically issue permits authorizing mining under landfills.

After the landfill closes, Ohio EPA regulations would require an authorization from the director of Ohio EPA if mining activities are proposed within 300 feet of the limits of waste placement and are likely to impact the integrity of the waste placement or any ancillary structures. This authorization will not be issued if the mining activities pose a potential to compromise the landfill or landfill structures.

Comment 5: Ms. Elisa Young raised a concern regarding dust originating from the landfill's operations.

Response 5: A Fugitive Dust Permit has been issued to address the landfill's potential dust emissions. To ensure compliance with this permit, Ohio EPA will conduct regular unannounced inspections of the landfill. Additionally, AMP-Ohio will water haul roads and areas of disposal as needed to minimize dust emissions. As the landfill's licensing authority, the Meigs County Health Department should be contacted if excessive dust is observed.

Comment 6: Ms. Elisa Young asked what other residual solid waste landfills associated with power plants are there in Ohio, what violations have been issued to them, and what has happened to rectify these violations.

Response 6: Currently there are four operating landfills associated with power plants in Ohio. Below is a summary of the violations cited by Ohio EPA or the local health department over the last five years:

- Zimmer Residual Waste Landfill, Clermont County, was issued violations for overfilling the facility and for erosion to the cover system at the facility. Civil penalties were paid for the overfilling and the facility was required to move the waste

or obtain a modification to their permit. The erosion of the cover system was repaired and re-seeded.

- Conesville Residual Waste Landfill, Coshocton County, was issued violations for overfilling the facility. Civil penalties were paid for the overfilling and the facility was required to move the waste or obtain a modification to their permit.
- Gavin Plant Residual Waste Landfill, Gallia County, was issued violations for erosion to the cover system at the facility and for not updating financial assurance estimates. The erosion of the cover system was repaired and re-seeded. The financial assurance estimates were updated.
- Cardinal FAR 1 Residual Waste Landfill, Jefferson County, has not been issued any violations. It began operating in early 2008.

Comment 7: Ms. Elisa Young asked who reviews the ground water monitoring results to determine if the facility is leaking, and is it possible for a local representative to review this data.

Response 7: Hydrogeologists working for Ohio EPA review the ground water monitoring results to determine if the landfill is impacting ground water quality. Once this data is collected and submitted to Ohio EPA this data is part of the public record and can be reviewed at Ohio EPA's Southeast District Office (SEDO) in Logan. To make an appointment, please call the SEDO public records officer at (740) 385-8501.

Comment 8: Ms. Elisa Young asked what types of waste generated at the power plant cannot be disposed at the AMPGS landfill.

Response 8: This landfill permit only authorizes the disposal of fly ash, bottom ash, gypsum, and flue-gas desulfurization wastewater treatment sludge at the landfill. Any waste paper, food scraps, or other wastes not listed above are not authorized for disposal at the landfill.

Comment 9: Ms. Elisa Young asked who will be responsible for paying for the repairs to the landfill if damage occurs after the landfill is closed and capped and the 15-year post closure period has ended.

Response 9: Whoever owns the property after the landfill has completed the 15-year post-closure care period is responsible for maintaining the property.

Comment 10: Mr. Robin Kinney asked why daily cover is not required at a residual solid waste landfill.

Response 10: Daily cover is required at municipal solid waste landfills to prevent fire, blowing litter, odors, insects, vectors, and rodents. Daily cover is not required at a residual solid waste landfill because the type of waste disposed is not flammable, and it does not contain litter, release odors, or attract insects, vectors, or rodents.

Comment 11: Mr. Robin Kinney asked why the landfill permit does not state that a deed restriction will be placed on the property preventing houses from being built on the landfill once it is closed.

Response 11: As part of the closure of the landfill the owner will have to state in the deed that a residual solid waste landfill was operated on the property, but a land-use restriction is not required by Ohio rule or law. However, in order to construct on a closed landfill, one must obtain an authorization from Ohio EPA. At that time, a decision will be made whether building on the closed landfill is appropriate.

Comment 12: Mr. Robin Kinney asked if AMP will be required to establish a healthy dense grass cover on the landfill once it is capped.

Response 12: Yes, AMP-Ohio will have to establish a dense grass cover on the landfill once it is capped and they will have to maintain this vegetation to prevent erosion during the 15-year post-closure care period.

Comment 13: Mr. Robin Kinney asked if AMP will have to own the property associated with the landfill before they start building the landfill.

Response 13: Condition 10 of the permit-to-install requires AMP-Ohio to provide proof of property ownership or a lease agreement for the properties associated with the landfill before commencing construction of the landfill.

Comment 14: Mr. Robin Kinney asked how Ohio EPA will be involved with the quality assurance/quality control testing performed during the construction of the landfill's bottom liner and cap.

Response 14: Ohio EPA will review the results of every quality assurance/quality control test performed during the construction of the landfill's bottom liner and cap. Ohio EPA will also make periodic unannounced inspections of the facility during the construction of the landfill's bottom liner and cap to observe these tests being performed. Additionally, AMP-Ohio cannot dispose waste in a phase of the landfill until Ohio EPA concurs with the construction certification report for that phase.

Comment 15: Mr. Robin Kinney stated one of the siting criteria for the landfill is that it cannot be within a five-year time of travel to a public drinking water source and he asked how private drinking water wells are protected.

Response 15: Ohio EPA regulations require that a landfill not be located within a five-year time of travel to a public drinking water well. This means if the landfill were to leak, the plume would take more than five years to reach the nearest public drinking water well. The analysis of time of travel in the permit states that using the highest calculated groundwater flow rates beneath the landfill, ground water could travel 0.72 miles (3,830 ft) within five years. The nearest public water supply is the Village of Racine, which is 4.3 miles away. The nearest private wells are about 2,700 ft from the limits of waste placement. Ohio EPA regulations require that landfills be located at least 1,000 feet from a private well if the ground water under the landfill is flowing towards the well or 500 feet if ground water is flowing away from the well and towards the landfill. Ground water monitoring wells will be established between the landfill and these wells to detect any leakage that may occur from the landfill. If contaminants are detected in a monitoring well, AMP-Ohio would be required to confirm if a release has occurred, assess the magnitude of the release, control the source of the release, and remediate the ground water contamination.

End of Response to Comments