



**Environmental
Protection Agency**

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

December 16, 2010

CERTIFIED MAIL

American Municipal Power, Inc.
f.k.a. American Municipal Power-Ohio, Inc.
American Municipal Power Generating
Station Residual Solid Waste Landfill
1111 Schrock Road, Suite 100
Columbus, OH 43229

Re: Director's Final Findings & Orders

Dear Sir or Madam:

Transmitted herewith are Final Findings & Orders of the Director concerning the matter indicated.

Sincerely,

Kimberly Reese
Systems Management Unit
Division of Solid & Infectious Waste Management

Enclosure: Director's Final Findings and Orders

cc: Scott Hester, CO, DSIWM
Brian Queen, SEDO, DSIWM
Jeff Hurdley, Ohio EPA, CO, Legal

OHIO E.P.A.

DEC 16 2010

Issuance Date: DEC 16 2010

Effective Date: DEC 16 2010

ENTERED DIRECTOR'S JOURNAL

BEFORE THE
OHIO ENVIRONMENTAL PROTECTION AGENCY

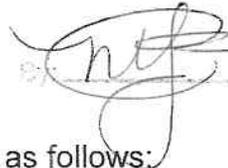
In the Matter Of:

American Municipal Power, Inc.
f.k.a. American Municipal Power-Ohio, Inc. :
American Municipal Power Generating Station Residual Solid Waste Landfill :
1111 Schrock Road, Suite 100 :
Columbus Ohio 43229 :

Director's Final Findings and Orders

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.

PREAMBLE

 Date: 12.16.2010

It is hereby agreed by and among the parties hereto as follows:

I. JURISDICTION

These Director's Final Findings and Orders (Orders) are hereby issued to American Municipal Power, Inc. (Owner) pursuant to the authority vested in the Director of Environmental Protection (Director) under Chapter 3745.01(C) of the Ohio Revised Code (ORC).

II. PARTIES

These Orders shall apply to and be binding upon Owner, and its assigns and successors in interest. No changes in ownership relating to the American Municipal Power Generating Station Residual Solid Waste Landfill, Meigs County (Facility) will in any way alter the obligations of Owner under these Orders. The obligations of Owner under these Orders may be altered only by the written approval of the Director.

III. DEFINITIONS

Unless otherwise stated, all terms used in these Orders shall have the same meaning as used in Chapter 3734 of the ORC and the regulations promulgated thereunder.

IV. FINDINGS OF FACT

The Director has determined the following findings of fact:

1. On March, 16, 2009, Permit to Install No. 06-08301 (PTI No. 06-08301) was issued by the Ohio Environmental Protection Agency (Ohio EPA) to Owner, for the Facility, to have been located between the intersections of Hill Road and State Route 124, and Hill Road and East Letart Road. The Facility was to be within Letart Township, Meigs County.
2. Since issuance of PTI No. 06-08301, the Owner has decided not to proceed with construction of the Facility.
3. On September 17, 2010, and in light of its decision not to proceed with construction of the Facility, the Owner requested that Ohio EPA revoke PTI No. 06-08301.

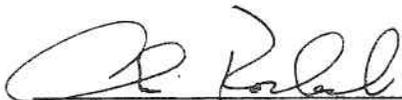
V. ORDERS

1. PTI No. 06-08301 is hereby revoked. The Owner is hereby released from all responsibility related to the construction or operation of the Facility in accordance with PTI Number 06-08301.
2. Nothing in these Orders shall be construed to authorize any activity, method, or waiver from any requirements or applicable state solid waste laws or regulations. This authorization shall not be interpreted to release the Owner from responsibility under ORC Chapters 3704, 3734, or 6111; under the federal Clean Water Act or Comprehensive Environmental Response, Compensation, and Liability Act; or from other applicable requirements for remedying conditions resulting from any release of contaminants to the environment.

VI. 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.

IT IS SO ORDERED AND AGREED:

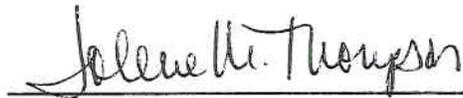


Chris Korleski, Director
Ohio Environmental Protection Agency

WAIVER

Owner hereby waives its right to appeal the issuance, terms, and service of these Orders, and hereby waives any and all rights it might have to seek judicial or administrative review of said Orders either in law or equity. Notwithstanding the preceding, Ohio EPA and Owner agree that in the event that these Orders are appealed by any other party to the Environmental Review Appeals Commission or any court, Owner retains the right to intervene and participate in such appeal. In such event, Owner shall continue to comply with these Orders notwithstanding such appeal and intervention unless said Orders are stayed, vacated, or modified.

IT IS SO AGREED:



Jolene Thompson
Senior Vice President
Member Services & External Affairs
American Municipal Power, Inc.