



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

November 3, 2022

VIA EMAIL

Mr. Darrell Bayless
Hoosier Energy – Merom Generating Station
5500 W. Old Highway 54
Sullivan, IN 47882
dbayless@hepn.com

Re: Inspection Summary Letter
SW Program IDs 77-03 & 77-041

Dear Mr. Bayless:

On October 31, 2022, representatives of the Indiana Department of Environmental Management, Office of Land Quality, conducted an inspection of Hoosier Energy – Merom Generating Station Restricted Waste Site (RWS) landfill, located at 5500 W. Old Highway 54, Sullivan, Indiana. This inspection was conducted pursuant to IC 13-14-2-2. For your information, and in accordance with IC 13-14-5, a summary of the inspection is provided below:

Type of Inspection:	Routine and Follow-Up
Results of Inspection:	No violations were observed. Information is being referred to the Office Land Quality Enforcement Section. See attached inspection report for additional information.

Please direct any response to this letter and any questions to me at (317) 691-6532 or via email at aminne@idem.IN.gov.

Sincerely,

Alan Minne, Sr. Environmental Manager
Industrial Waste Compliance Section
Compliance Branch
Office of Land Quality

Enclosure

cc: Sullivan County Health Department



Visit on.IN.gov/survey or scan the QR code to provide feedback.
We appreciate your input!





RESTRICTED WASTE SITE TYPE I OR II INSPECTION REPORT

State Form 53908 (1-09)
INDIANA STATE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
Industrial Waste Compliance Section
Office of Land Quality
100 N. Senate Ave.
Mail Code 65-45
Indianapolis, IN 46204-2251

Facility Name Merom Generating Station [SW Program ID 77-03 & 77-04]

EPA Identification Number IND000715284

Location 5500 W. Old Highway 54

City Sullivan

County Sullivan

ZIP Code 47882

Inspector Alan Minne

Inspection Date (month, day, year) October 31, 2022

Other IDEM Representatives Mason Ellis

Primary contact during inspection Matt Deal, Lon Petts, Larry Snellenberger, Darrell Bayless

A. Pre-Inspection File Review

On-Site Disposal Notification Date (month, day, year) N/A

Restricted Waste Site Facility Type/Issuance Date (month, day, year)

Type I (Permit renewal issued 8/9/16; expires 8/1/21)

Type II (Permit renewal issued 1/12/18; expires 12/15/22)

Minor Modification (Type II [Area 1]); final cover modification, issued 6/28/16

Minor Modification (Type I [Area 3]); allows disposal of perimeter ditch cleaning debris in Area 3, issued 10/12/16

Minor Modification (Type II [Area 2A]); allows construction of perimeter collection system, issued June 27, 2019

Minor Modification (Type II [Area 1]); allows construction of perimeter collection system, issued July 17, 2020

Restricted Waste Site Permit Reviewed by Inspector: Date (month, day, year) October 29, 2022

Wastestream(s) permitted for disposal generated by facility

<u>Wastestream(s) Classified</u>	<u>Classification Number</u>	<u>Expiration Date(s)</u> (month, day, year)
Fly Ash FGD Filter Cake Bottom Ash	The three wastestreams listed to the left do not have a waste classification. Pursuant to 329 IAC 10-9-4(d), these wastes are not required to be waste classified since they are being disposed of in a Restricted Waste Site Type I.	
Waste Water Treatment Plant Filter Cake	WC 20-007	June 1, 2025
Waste Coal and Contaminated Soil	WC 21-030	December 31, 2024

Other wastestream(s) approved for disposal (such as those generated by other facilities): Perimeter ditch cleaning debris (per Insignificant Minor Modification, IDEM letter dated 10/12/16). Waste coal and contaminated soil from the coal run-off area.

Treated wastestream(s) {hazardous or non-hazardous}: N/A

Previous Inspections: August 16, 2022

Unresolved violations/comments: A seep is present at the base of Area 2A. Mr. Petts stated in an email dated October 12, 2017 that he believes that leachate is coming out of the base of Area 2A and when exposed to Air, constituents in the leachate are precipitating out. Permit Conditions G1-3 address this issue in the Type II RWS Permit renewal issued January 12, 2018.

On June 14, 2018, IDEM received a letter documenting that a blockage was found in the French drain and that the facility would be repairing the blockage. The leachate seep was still present as of the March 26, 2019 inspection. The facility was referred to the Land Enforcement section after the December 11, 2018 inspection.

Erosion issues were found during the March 26, 2019 inspection and were referred to the Land Enforcement section.

A seep was found in Area 1 during the March 12, 2020 inspection and referred to the Land Enforcement Section.

B. Restricted Waste Site Inspection Comments

Background and Process Information

The facility has three permitted landfills on the property: Area 1 (Type II); Area 2A & 2B (Type II); and Area 3 (Type 1). Area 1, Area 2A and 2B, and Area 3 Cell 1, are covered with intermediate vegetative cover. Area 3, Cell 2 is actively accepting waste.

A permit renewal application was submitted to IDEM on March 15, 2021 (VFC # 83128989). A Request for Additional Information was sent on June 25, 2021 (VFC # 83174003) and a response was received on July 9, 2021 (VFC # 83180905). The permit is currently under review. The facility was issued a Waste Classification for Waste Coal and Contaminated Soil (WC-21-030 Type I, VFC# 83270476) on January 25, 2022.

Inspection Findings

A restricted waste site (RWS) inspection was conducted at Hoosier Energy-Merom Generating Station on October 31, 2022. IDEM staff arrived on-site and met with Mr. Matt Deal, Mr. Darrell Bayless, Mr. Larry Snellenberger inside material handling building. IDEM staff observed the facility's plot plans, weekly landfill inspection logs, and operator licenses. No issues were found. IDEM staff then drove to the landfill. While traveling, IDEM staff inspected monitoring well SW-45. This well was locked, labeled, and well maintained.

Area 1 (Type II)

IDEM staff drove around the perimeter of Area 1. IDEM staff observed established vegetation the side slopes. No leachate or erosion issues were observed (See photos 1).

Area 3 (Type I)

IDEM staff drove around Area 3. At the time of the inspection, IDEM staff observed the facility actively disposing of waste in Cell 2. IDEM staff drove around the perimeter of Cell 1, observing a site benchmark and monitoring wells (See photos 2-4).

Area 2A (Type II)

IDEM staff drove around the perimeter of Area 2A. At the time of the inspection, IDEM staff did not observe any seeps occurring on the base slopes. Vegetation cover was established on the side slopes. Additionally, IDEM staff did not observe any chemical odors or any white precipitate occurring (See photo 5).

Area 2B (Type II)

IDEM staff drove around the perimeter of Area 2B. IDEM staff observed well established vegetation on the side slopes of Area 2B (See photo 6).

Additional Information: On October 16, 2018, IDEM received a response to the violation letter issued to Hoosier Energy – Merom Generating Station. The response indicated that the facility would submit a permit modification to address the seep. IDEM received an insignificant modification request dated October 19, 2018 (VFC # 82637607). The modification request was withdrawn via email on November 16, 2018. The response also stated seepage is going into an unlined ditch and that the facility is working to finalize a plan for a temporary liner or piping to convey the seepage. As discussed in the September 5, 2018, inspection report and in a conference call on September 26, 2018, the unlined drainage ditches are not designed for leachate and should not be conveying leachate. As of the March 26, 2019, inspection, the ditches were not lined. A permit modification was issued on June 27, 2019 (VFC # 82800677).

Conclusion

At the time of the inspection, IDEM staff did not observe any seeps on the north or south base slopes of Area 2A. IDEM staff did not observe any chemical odors or any white precipitate occurring in Area 2A as well. Additionally, no erosion issues were observed on Area 1, Area 2A, Area 2b, or Area 3. No new violations were cited. Information is being referred to the Office of Land Quality Enforcement Section. See the below Violation Description section for additional information.

C. Restricted Waste Site Inspection Summary

C.1	Violations. The checklist below is not comprehensive, but includes the most common violations. Checked violations and additional violations are described in detail in Section C.2 and include location information, corrective measures, and compliance dates. Appropriate documentation, photographs and maps may also be attached. When appropriate, a representative portion of a facility or documents may be inspected. A description of those portions inspected is provided in Section B, Restricted Waste Site Inspection Comments.				
<input type="checkbox"/> 1) Permit Compliance 329 IAC 10-13-4(c)	<input type="checkbox"/> 17) First Aid Kit 329 IAC 10-28-7(b)		<input type="checkbox"/> 33) Establish & Maintain Vegetation 329 IAC 10-28-14(b)		
<input type="checkbox"/> 2) Established Roadways 329 IAC 10-28-1(a)	<input type="checkbox"/> 18) Communications System 329 IAC 10-28-7(c)		<input type="checkbox"/> 34) Proper Grading 329 IAC 10-28-14(c)		
<input type="checkbox"/> 3) Restricted Access 329 IAC 10-28-1(b)	<input type="checkbox"/> 19) On-Site/Up to Date Plans 329 IAC 10-28-8(a)		<input type="checkbox"/> 35) Vegetation Clearing 329 IAC 10-28-14(d)		

<input type="checkbox"/> 4) Passable Roads 329 IAC 10-28-2(a)	<input type="checkbox"/> 20) Quarterly Plot Plans 329 IAC 10-28-8(b)	<input type="checkbox"/> 36) Surface Leachate Management 329 IAC 10-28-15(a)
<input type="checkbox"/> 5) Tracking Mud 329 IAC 10-28-2(b)	<input type="checkbox"/> 21) Furnishing Records to IDEM 329 IAC 10-28-8(c)	<input type="checkbox"/> 37) Leachate 50ft Beyond SW Boundary 329 IAC 10-28-15(b)
<input type="checkbox"/> 6) Monitoring Well Access 329 IAC 10-28-2(c)	<input type="checkbox"/> 22) Open Burning 329 IAC 10-28-9	<input type="checkbox"/> 38) Leachate Disposal 329 IAC 10-28-16
<input type="checkbox"/> 7) Signs 329 IAC 10-28-3	<input type="checkbox"/> 23) Waste Deposited in Water 329 IAC 10-28-10(a)	<input type="checkbox"/> 39) Groundwater Monitoring Wells 329 IAC 10-28-17
<input type="checkbox"/> 8) Livestock Present 329 IAC 10-28-4(a)	<input type="checkbox"/> 24) Cover Soil Type 329 IAC 10-28-11(a)	<input type="checkbox"/> 40) Explosive Gases 329 IAC 10-28-19
<input type="checkbox"/> 9) Vector, Dust, Odor 329 IAC 10-28-4(b)	<input type="checkbox"/> 25) Cover Maintenance/ Alt. Cover Approval 329 IAC 10-28-11(b)	<input type="checkbox"/> 41) Leachate Collection 329 IAC 10-28-20
<input type="checkbox"/> 10) Litter 329 IAC 10-28-4(c)	<input type="checkbox"/> 26) Working Face Size (RWS I Only) 329 IAC 10-28-12(a)(1)	<input type="checkbox"/> 42) Closure Performance Standards 329 IAC 10-30-1
<input type="checkbox"/> 11) Dead Animal Disposal 329 IAC 10-28-4(d)	<input type="checkbox"/> 27) Cover Application & Compaction (RWS I Only) 329 IAC 10-28-12(a)(2)	<input type="checkbox"/> 43) Final Cover (RWS I Only) 329 IAC 10-30-2(a)
<input type="checkbox"/> 12) Outside Containers 329 IAC 10-28-4(e)	<input type="checkbox"/> 28) Intermediate Cover (RWS I Only) 329 IAC 10-28-12(a)(3)	<input type="checkbox"/> 44) Top Soil (RWS I Only) 329 IAC 10-30-2(b)
<input type="checkbox"/> 13) Scavenging 329 IAC 10-28-5	<input type="checkbox"/> 29) Cover Application & Compaction (RWS II Only) 329 IAC 10-28-12(b)	<input type="checkbox"/> 45) Final Cover (RWS II Only) 329 IAC 10-30-3(a)
<input type="checkbox"/> 14) Salvage Operations 329 IAC 10-28-6(a)	<input type="checkbox"/> 30) Fugitive Dust 329 IAC 10-28-13(a)	<input type="checkbox"/> 46) Top Soil (RWS II Only) 329 IAC 10-30-3(b)
<input type="checkbox"/> 15) Salvage Storage 329 IAC 10-28-6(b)	<input type="checkbox"/> 31) Daily Cover/Control Plan 329 IAC 10-28-13(b)	<input type="checkbox"/> 47) Other
<input type="checkbox"/> 16) Safety Devices 329 IAC 10-28-7(a)	<input checked="" type="checkbox"/> 32) Cover Continuous Maintenance 329 IAC 10-28-14(a)	

C.2	Violation descriptions: Includes observed violations with corresponding regulatory citations and permit conditions (when applicable), corrective measures and compliance dates.
<p align="center">Violations Referred to the Enforcement Section after the March 12, 2020, inspection.</p> <p>329 IAC 10-28-15: Any leachate on the surface of restricted wastes sites Type I and II must be immediately managed or controlled to prevent off-site migration.</p> <p><i>Note: During the March 12, 2020, inspection, a seep was present in Area 1. The seep was noted in two previous inspection reports (see VFC # 82836982 and 82885810). Bare spots were present on the seep and no controls were in place preventing the surface migration of leachate. No permit modification to address the seep has been submitted.</i></p> <p>Status: During the September 1, 2021, December 8, 2021, March 8, 2022, April 26, 2022, August 16, 2022, October 31, 2022, inspections, IDEM staff did not see leachate on the surface of Area 1.</p> <p align="center">Violations Referred to the Enforcement Section after the March 26, 2019, inspection.</p> <p>329 IAC 10-28-11(b): Cover must be applied and maintained in accordance with the applicable requirements of this rule and 329 IAC 10-30-2 and 329 IAC 10-30-3.</p> <p>329 IAC 10-28-14 (a) and Permit Requirement D15: Intermediate cover must be continuously maintained, including application and compaction of addition cover as needed to maintain required depth.</p> <p><i>Note: During the March 26, 2019, IDEM staff saw erosion rills in Area 3 (see photo 3-4). One of the erosion rills was deep enough to expose waste (see photo 4). The facility noted erosion in this area in their February and March monthly inspections (see attached); however, no repairs were completed. There was also an erosion rill of along the</i></p>	

west side of the top of Area 1. The erosion rill was approximately 12 inches deep in places (see photos 1-2). This erosion was not noted in the monthly inspection and Mr. Deal stated that he was not aware of the erosion in Area 1 during the inspection.

Status: During the June 24, 2019, December 8, 2021, March 8, 2022, and April 26, 2022, August 16, 2022, October 31, 2022, inspections, repairs had been made to the erosion rills in Area 1 and 3. No erosions issues were observed in Area 1 or Area 3.

Violations Referred to the Enforcement Section after the December 11, 2018, inspection.

329 IAC 10-13-4 (c) and Permit Requirements G2 and G3 (FP 77-03): Repair and/or remove any clogging from the subdrainage system within 90 days after receiving this permit. Manage the seepage as leachate until such time the seepage is determined to be free of contaminants and meets the groundwater protection standards in section C of this permit.

329 IAC 10-28-15 (b): Any surface movement of leachate past a point fifty (50) feet outside of the solid waste boundary is prohibited except as specified in the facility permit.

Note: During the September 5, 2018, inspection, IDEM staff saw leachate seeps on the north and south sides of Area 2A. The seep on the south side had a white precipitate and the seep on the north side had a strong odor and a dark to black color. The seeps were actively flowing at the time of the inspection. The leachate was allowed to migrate into an unlined drainage ditch which eventually flowed into a leachate collection pond which is more than 50 feet outside the solid waste boundary. The drainage ditches were not designed for leachate. During the September 1, 2021, inspection, leachate was seen surface of the RWS on the north slope of Area 2A near the rock chutes. A chemical odor was present where the seep was, and a white color was present in the leachate. In addition, a white precipitate was also present on the side slope near the road entrance.

Status Update: During the December 8, 2021, March 8, 2022, and April 26, 2022, August 16, 2022, inspections, October 31, 2022, IDEM staff did not observe any seeps or leachate on the north or south slopes of Area 2A. Additionally, IDEM staff did not observe any chemical odors or any white precipitate occurring.

ATTACHMENTS:

☐ FACILITY MAP WITH LOCATION OF REGULATED WASTE ACTIVITY AND AREAS OF ENVIRONMENTAL CONCERN

☒ PHOTO LOG

☐ ADDITIONAL DOCUMENTATION:



Photo 1

Facility Name: Hoosier Energy - Merom Generating Station

Photographer: Alan Minne

Date: October 31, 2022

Others Present: Mason Ellis (IDEM), Darrell Bayless (facility), Larry Snellenberger (facility).

Location & Description: Area 1 side slope



Photo 2

Facility Name: Hoosier Energy - Merom Generating Station

Photographer: Alan Minne

Date: October 31, 2022

Others Present: Mason Ellis (IDEM), Darrell Bayless (facility), Larry Snellenberger (facility).

Location & Description: Monitoring well SW-45



Photo 3

Facility Name: Hoosier Energy - Merom Generating Station

Photographer: Alan Minne

Date: October 31, 2022

Others Present: Mason Ellis (IDEM), Darrell Bayless (facility), Larry Snellenberger (facility).

Location & Description: Site benchmark



Photo 4

Facility Name: Hoosier Energy - Merom Generating Station

Photographer: Alan Minne

Date: October 31, 2022

Others Present: Mason Ellis (IDEM), Darrell Bayless (facility), Larry Snellenberger (facility).

Location & Description: Area 3 Cell 2 disposal area



Photo 5

Facility Name: Hoosier Energy - Merom Generating Station

Photographer: Alan Minne

Date: October 31, 2022

Others Present: Mason Ellis (IDEM), Darrell Bayless (facility), Larry Snellenberger (facility).

Location & Description: Area 2A side slope



Photo 6

Facility Name: Hoosier Energy - Merom Generating Station

Photographer: Alan Minne

Date: October 31, 2022

Others Present: Mason Ellis (IDEM), Darrell Bayless (facility), Larry Snellenberger (facility).

Location & Description: Area 2B side slope

EMANUEL, DONNA

From: Darrell Bayless <dbayless@camsops.com>
Sent: Thursday, November 03, 2022 10:31 AM
To: EMANUEL, DONNA; dbayless
Cc: healthadministrator@sullivancounty.in.gov; Minne, Alan; Wren, Kira; 'mdeal@hephn.com'; Lon Petts; jsmcguire@halladorenergy.com
Subject: RE: Hoosier Energy - Merom Generation Station - 77-03 and 77-04

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Received

Thank you
Darrell

From: EMANUEL, DONNA <DEMANUEL@idem.IN.gov>
Sent: Thursday, November 3, 2022 10:22 AM
To: dbayless <dbayless@hepn.com>
Cc: healthadministrator@sullivancounty.in.gov; Minne, Alan <aminne@idem.IN.gov>; Wren, Kira <KWren@idem.IN.gov>; 'mdeal@hephn.com' <mdeal@hephn.com>; Lon Petts <lpetts@hepn.com>; jsmcguire@halladorenergy.com
Subject: Hoosier Energy - Merom Generation Station - 77-03 and 77-04

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Dear Mr. Bayless,

Attached is the "**Routine/Inspection Summary Letter** " that **Mr. Troy South** prepared for **Hoosier Energy – Merom Generating Station**. which is located at **5500 West Old Highway 54, Sullivan, Sullivan County, Indiana**, for your review. Once you have received this email would you please respond back to me (via e-mail) that you have received the document for our records.

Thank you



Donna Emanuel
Administrative Assistant

(317) 234-6923 • demanuel@idem.IN.gov



| www.idem.IN.gov

Scan the QR code to leave your feedback.

We appreciate your input!



EMANUEL, DONNA

From: Lon Petts <lpetts@HEPN.com>
Sent: Thursday, November 03, 2022 10:28 AM
To: EMANUEL, DONNA; Darrell Bayless
Cc: healthadministrator@sullivancounty.in.gov; Minne, Alan; Wren, Kira; 'mdeal@hephn.com'; 'jsmcguire@halladorenergy.com'
Subject: RE: Hoosier Energy - Merom Generation Station - 77-03 and 77-04

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Ms. Emanuel,

I have received the email and attachment.

Thank you,

Lon

From: EMANUEL, DONNA <DEMANUEL@idem.IN.gov>
Sent: Thursday, November 3, 2022 10:22 AM
To: Darrell Bayless <dbayless@hepn.com>
Cc: healthadministrator@sullivancounty.in.gov; Minne, Alan <aminne@idem.IN.gov>; Wren, Kira <KWren@idem.IN.gov>; 'mdeal@hephn.com' <mdeal@hephn.com>; Lon Petts <lpetts@hepn.com>; 'jsmcguire@halladorenergy.com' <jsmcguire@halladorenergy.com>
Subject: Hoosier Energy - Merom Generation Station - 77-03 and 77-04

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Thank you



Donna Emanuel
Administrative Assistant

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