



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

November 27, 2012

RE: TRUMBULL COUNTY
NILES GENON POWER MIDWEST, LP
NPDES PERMIT NO. OH0011533
OHIO EPA PERMIT NO. 3IB00007

Mr. Tom Senedak, Environmental Specialist
Niles GenOn Power Midwest, LP
Niles Power Plant
1047 Belmont Avenue
Niles, Ohio 44446

Mr. Senedak:

Ohio EPA conducted a compliance evaluation inspection of the above-referenced facility on November 15, 2012. You represented Niles GenOn Power Midwest, LP and Mr. Jon Jamison and the undersigned represented Ohio EPA. The inspection was performed to evaluate the operation and maintenance of the treatment systems, and determine the facility's overall compliance with its National Pollutant Discharge Elimination System (NPDES) permit.

During the inspection, the following observations and/or deficiencies were noted:

1. The facility is not currently producing electricity. Niles GenOn Power Midwest, LP is in the process of draining and disposing of all fluids, oils, and other chemicals from all of its equipment at the site. Additionally, there is a pending merge between Niles GenOn Power Midwest, LP and NRG Energy, Inc. scheduled to occur, possibly in December. Per discussions with you, there is no intention to continue using the facility to produce electricity after the merge occurs.
2. No discharges were observed at any of the outfalls. You explained that Niles GenOn Power Midwest, LP has decommissioned, or is in the process of decommissioning, a number of the outfalls listed in the NPDES permit. Keep this office informed with the progress of this process. Additionally, please note that as long as the current NPDES permit remains active, reporting must continue as described in the permit. Select the "No Discharge" option on the electronic Discharge Monitoring Report (eDMR) input webpage if there is no discharge through a particular outfall for a required monitoring period.

While there is still sanitary wastewater flow being generated by a limited number of employees, the sanitary package plant at Outfall 008 is being kept pumped down on an as-needed basis. The sanitary package plant at Internal Outfall 606, which combines with the ash pond discharge at Outfall 002, is still receiving sanitary wastewater as well. Niles GenOn Power Midwest, LP intends to eliminate this outfall by: 1. Converting the package plant to a sanitary hold tank, 2. Removing the coal pile to eliminate any runoff

to the ash pond, and 3. Filling in the ash ponds. Please note that a Permit-to-Install will be required for converting the package plant at Internal Outfall 606 to a sanitary hold tank.

Future NPDES requirements, as well as a closure plan for the ash ponds and coal pile, will be discussed during a future meeting following the merge between Niles GenOn Power Midwest, LP and NRG Energy, Inc.

3. The Stormwater Pollution Prevention Plan (SWP3) is in the process of being updated. Please provide a copy of the SWP3 to this office once it has been updated.

A review of the facility's eDMRs received by Ohio EPA for the period May 2011 through October 2012 indicated violations of the terms and conditions of the NPDES permit. The specific instances of noncompliance include:

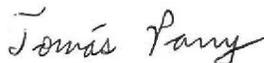
Permit No	Reporting Period	Station	Reporting Code	Parameter	Limit Type	Limit	Reported Value	Violation Date
3IB00007*LD	July 2011	002	01113	Cadmium, Total Recover	30D Conc	5.13	5.53333	7/1/2011
3IB00007*LD	July 2011	002	01119	Copper, Total Recovera	1D Conc	66	79.5	7/26/2011

Please keep Ohio EPA informed as to the status of the merge. Once it occurs, please contact this office to set up a meeting to discuss future NPDES requirements as well as a closure plan for the ash ponds and coal pile.

Please provide to this office, within 14 days' receipt of this letter, written documentation describing the actions that will be taken, or have been taken, to address the above-referenced violations and/or deficiencies. Your response shall include specific dates for the initiation and completion of this action plan. Please be advised that violations of the NPDES permit are subject to appropriate enforcement actions pursuant to Chapter 6111 of the Ohio Revised Code.

Should you have any questions or comments regarding this letter, please contact this office at (330) 963-1120.

Respectfully,



Tomás Parry, P.E.
Environmental Engineer
Division of Surface Water

TP/cs

cc: Nathan Rozic, GenOn Energy, Inc