UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.
313832

Date: June 9, 2009

Subject: EPA Call with Dayton Power and Light to Request Access for South Dayton Dump and Landfill Site Investigation Moraine, Ohio

From: Karen Cibulskis, RPM Karen Cibulskis

To: File

On June 9, 2009 at 9:00 am EPA representatives spoke with representatives of Dayton Power and Light (DPL). The purpose of the call was to request access to DPL property across the street from the South Dayton Dump and Landfill (SDDL) site to collect groundwater data and other information to be used to complete a RI/FS for the site. Participants included Karen Cibulskis, EPA SDDL Remedial Project Manager, Tom Nash, EPA Assistant Regional Counsel, Randall Griffin, DPL Chief Regulatory Counsel and Scott Arentsen in DPL Environmental Matters.

Tom Nash discussed the purpose of the call and Karen Cibulskis answered DPL's question explaining why access was necessary. DPL (a non-settler to the SDDL ASAOC) contends the South Dayton PRP group (who is conducting the RI/FS) is just looking for deep pockets and said DPL has evidence they never took waste to the SDDL site. DPL also said EPA could re-drill and sample DPL's existing well MW-104 in the parkway of their property adjacent to Dryden Road.

Tom Nash informed DPL that any attempt to restrict EPA's access is construed by the Agency as a refusal. DPL stated they would not allow EPA access to DPL property to collect data to complete a RI/FS. Tom Nash told DPL EPA would be looking into its other options for obtaining access and the call ended at 9:09 am.