



Dunkirk Power LLC
106 Point Drive North
Dunkirk, NY 14150

April 6, 2020

Mr. David Vitale
New York State Department of Environmental Conservation
Division of Materials Management Director
625 Broadway
Albany, NY 12233-7250

RE: CCR Rule Notice
Dunkirk Power LLC

Dear Mr. Vitale:

Pursuant to the EPA's CCR Rule (40 CFR Part 257) and in accordance with the specific provisions of §257.95(g) and the associated requirements of §257.106(h)(6), Dunkirk Power LLC is notifying the New York State Department of Environmental Conservation that one or more Appendix IV constituents has been detected at a Statistically Significant Level (SSL) above an established Groundwater Protection Standard (GWPS) at the Dunkirk Landfill (Solid Waste Management Facility, Permit ID 9-0658-00021/00008).

This determination is based on initial results received from the ongoing Assessment Monitoring Program, specific to the recent 1st QTR 2020 CCR groundwater sampling event, and entails the detection of Lithium at concentrations greater than the associated GWPS of 50 µg/L in downgradient Well BR-20-DG. In addition to the State Director noticing requirements under §257.106(h)(6), this determination has been entered into the facility operating record per §257.105(h)(8), and will be posted to the publicly accessible website per §257.107(h)(6) at <http://www.nrg.com/legal/coal-combustion-residuals/>.

At this juncture and in accordance with the provisions of §257.95(g)(3)(ii), Dunkirk Power LLC is conducting a preliminary evaluation to identify if a potential alternate source may exist and be the cause for the Lithium levels presently observed in the subject well. Should this preliminary evaluation deem an alternate source as unlikely, efforts will transition to characterize the nature and extent of the SSL impacts per §257.95(g)(1)(i-iv), in order to further support the subsequently required Assessment of Corrective Measures per §257.95(g)(3)(i) and §257.96(a).

Should you require additional information, please contact George Streit at (716)-200-2797 or George.Streit@nrg.com.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "George T. Streit", is written over a faint, larger version of the same signature.

George T. Streit
Environmental Coordinator

cc: Peter Grasso, P.E., 270 Michigan Ave., Buffalo, NY 14203