To: Moody, Jonathan[moody.jonathan@epa.gov]
Cc: Pierard, Kevin[pierard.kevin@epa.gov]; Vantil, Barbara[vantil.barbara@epa.gov]; Glowacki, Joanna[glowacki.joanna@epa.gov]; Kuefler, Patrick[kuefler.patrick@epa.gov]; Pepin, Rob[pepin.robert@epa.gov]; McKim, Krista[mckim.krista@epa.gov]
From: Pellegrini, Janet
Sent: Thur 3/13/2014 9:41:34 PM
Subject: RE: American Energy Corporation Century Mine Bennoc Refuse Disposal Area
Revised AEC 308- March132014.docx

Jonathan,
I spoke with Kevin, he definitely wants the attached revised request incorporated into the WECAB 308 to AEC.
I am out of the office all next week, so please work with Rob and/or Kevin with any questions.

Thanks much

Janet Pellegrini, Environmental Scientist
USEPA Region 5, Water Division, NPDES Branch
77 West Jackson Blvd. WN-16J
Chicago, IL 60604-3590
Phone: 312-886-4298
Fax: (312) 692-2436

-----Original Message-----
From: Moody, Jonathan
Sent: Monday, March 10, 2014 12:08 PM
To: Pellegrini, Janet
Cc: Pierard, Kevin; Vantil, Barbara; Glowacki, Joanna
Subject: RE: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Janet,

Thanks for the update. We are still drafting up our information request, but we should be ready to share something the week of March 17th. I will keep you informed, and we will contact NPDES before we finalize the request.

Jonathan

-----Original Message-----
From: Pellegrini, Janet
Sent: Monday, March 10, 2014 10:03 AM
To: Moody, Jonathan
Cc: Pierard, Kevin
Subject: FW: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Jonathan,
Just wanted to give you a heads up since I had just requested inclusion into your 308 the info we did not receive from AEC per the NPDES Nov 2013 308.
The attorney just contacted Kevin last friday on the matter.
I will be setting up a brief call to respond to his inquiry.

I dont trust that they will comply, so would still like to have the items in the 308 request included at this time, but we would need to touch base prior to sending, as it may be unnecessary if they comply in time.
thanks,

Janet

From: Pierard, Kevin
Sent: Friday, March 07, 2014 4:01 PM
To: Pellegrini, Janet
Subject: FW: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Please summarize the info we got. I am not sure why we would need a call to discuss this it seems fairly straight forward, but if we still want it lets go ahead and set the call. Schedule it for 15 min. Interesting that he contacted me on this, not sure why - possibly concerned about enforcement on the 308 or wondering about our communication with OEPA.

-----Original Message-----
From: Smith, Brooks M. [mailto:Brooks.Smith@troutmansanders.com]
Sent: Friday, March 07, 2014 3:57 PM
To: Pierard, Kevin
Subject: RE: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

I will see what I can find out on the state front. As for the 308, we did provide an initial batch of information following our discussions at the end of the year, with the expectation that we would meet to discuss the need for any additional production after EPA had a chance to review the initial submittal. We stand ready to meet if needed. Just let me know. Best, Brooks

-----Original Message-----
From: Pierard, Kevin [mailto:pierard.kevin@epa.gov]
Sent: Friday, March 07, 2014 4:52 PM
To: Smith, Brooks M.
Subject: RE: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Brooks - we understand that at some point the OEPA will be providing another revision to the permit for review. We expected this several weeks ago but have not seen anything yet. Our last conversation on this was in January. As to the 308 request, I believe there has been sufficient time for AEC to gather this information, but as yet we have not received the information. I believe that most, if not all, of the information should be readily available to AEC.

-----Original Message-----
From: Smith, Brooks M. [mailto:Brooks.Smith@troutmansanders.com]
Sent: Friday, March 07, 2014 3:32 PM
To: Pierard, Kevin
Subject: RE: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Hi Kevin, my sense is that the agencies are making progress on the permit but I did not want to appear inattentive to EPA's underlying request so I thought it best to check in for an update. I hope all is well with you. Best, Brooks

-----Original Message-----
From: Pierard, Kevin [mailto:pierard.kevin@epa.gov]
Sent: Monday, January 06, 2014 11:15 AM
To: Smith, Brooks M.
Subject: RE: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Brooks - OEPA made a commitment to redraft the permit in an effort to address concerns raised by EPA. OEPA provided a new version of the permit on Friday and this permit is under review. Finalizing the specific objection based on the previous permit is no longer necessary. We are reviewing this new

proposed permit and will work closely with OEPA in the coming days.

_____
From: Smith, Brooks M. [Brooks.Smith@troutmansanders.com]
Sent: Sunday, January 05, 2014 6:07 PM
To: Pierard, Kevin
Subject: Re: American Energy Corporation Century Mine Bennoc Refuse Disposal Area

Hi Kevin, did the specific objection letter go out? May I please get a copy? Thanks, Brooks

On Dec 30, 2013, at 11:08 AM, "Pierard, Kevin" <pierard.kevin@epa.gov> wrote:

> The specific objection has not gone out as yet. It will go out this
> week. On the 308, we will discuss this next week and schedule a call
> if necessary. thanks _____
> From: Smith, Brooks M. [Brooks.Smith@troutmansanders.com]
> Sent: Monday, December 30, 2013 9:37 AM
> To: Pierard, Kevin
> Subject: RE: American Energy Corporation Century Mine Bennoc Refuse
> Disposal Area
>
> Hi Kevin, I hope you've had a nice holiday. Would you please let me
> know the status of EPA's specific objection letter? Based on the call
> with EPA and Ohio EPA, I got the sense that it would come out sooner
> than January 5. But to my knowledge, it has not yet been circulated.
> Also, with respect to the 308 request, please let me know what times
> work best for a call and we can try to get this scheduled for early in
> the new year. Thanks very much. Brooks
>
> -----Original Message-----
> From: Pierard, Kevin [mailto:pierard.kevin@epa.gov]
> Sent: Monday, December 23, 2013 5:01 PM
> To: Smith, Brooks M.
> Cc: 'paul.novak@epa.state.oh.us'
> Subject: RE: American Energy Corporation Century Mine Bennoc Refuse
> Disposal Area
>
> Thanks Brooks
> _____
> From: Smith, Brooks M. [Brooks.Smith@troutmansanders.com]
> Sent: Monday, December 23, 2013 3:27 PM
> To: Pierard, Kevin
> Cc: 'paul.novak@epa.state.oh.us'
> Subject: American Energy Corporation Century Mine Bennoc Refuse
> Disposal Area
>
> As a follow-up to my letter dated December 10, I offer American Energy
> Corporation's initial response to EPA's information request. I will
> await your call to discuss the need for any further response. Thanks,
> Brooks
>
>
> Brooks M. Smith | Troutman Sanders LLP | 804-697-1414 (work) |
> 804-836-7331 (cell)

> 401 9th Street, NW, Suite 1000, Washington, DC 20004 | 1001 Haxall
> Point, Richmond, VA 23218 brooks.smith@troutmansanders.com
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