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December 3, 2013

Ms. Janet Pellegrini
NPDES Programs Branch
U.S. EPA Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: Clean Water Act Section 308 Information Request
American Energy Corporation – Century Mine Bennoc Refuse Disposal Area
Docket No. V-W-14-308-06

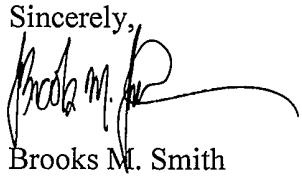
Dear Ms. Pellegrini:

On behalf of our client, American Energy Corporation, we acknowledge receipt of the above-referenced information request dated November 27, 2013. Our client is fully prepared to respond to reasonable requests that are necessary for EPA to carry out its obligations under the Clean Water Act. However, we have serious concerns about the scope and purpose of this particular request, which seems to intrude on the state's primary authority to oversee, implement and enforce compliance with the NPDES permit program in Ohio. We also have serious concerns about the timing of EPA's request, which was made on the first day of a major religious holiday and just a day before Thanksgiving. Given the amount of information that EPA is seeking, and our open concerns about the scope and purpose of the request, EPA's 10-day response deadline is flatly unreasonable.

We request an additional 90 days from the date of this letter to respond. We also request a reasoned justification from EPA as to why its information request is necessary (i.e., what legitimate obligations or objectives does EPA seek to fulfill?). Once we receive confirmation of our extension request and EPA's reasoned justification, we intend to seek a substantial narrowing of the request, such that it does not overlap with, or intrude on, the state's primary authority.

We trust that you will provide fair and timely responses to these requests.

Sincerely,



Brooks M. Smith

cc: Mr. Paul Novak, Ohio EPA