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

January 7, 2014

REPLY TO THE ATTENTION OF:
WN-16J

CERTIFIED MAIL 7001-0320-0005-9025-0570
RETURN RECEIPT REQUESTED

Craig Butler, Interim Director
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, OH 43216-1049

Re: Proposed National Pollutant Discharge Elimination System (NPDES) Permit OH0144649 for Rosebud Mining Co. – KLM7

Dear Mr. Butler:

Thank-you for working with us to finalize the proposed NPDES permit for Rosebud Mining Co. pertaining to the "KLM7" proposed underground mine. Unfortunately, we are running up against our review deadline – so I am sending this letter to provide our Agencies with additional time to continue our collaborative efforts to finalize this permit.

EPA generally objects to the proposed KLM7 permit because it does not include sufficient monitoring requirements to assure compliance with the proposed permit's General Effluent Limitations. As we have done in the past, we look forward to working with you and your staff to finalize this NPDES permit as provided in 40 C.F.R. § 123.44(a)(1).

If you have any questions related to EPA's review, please contact Patrick Kuefler of my staff. Mr. Kuefler can be reached by telephone at (312) 353-6268 or by e-mail at *kuefler.patrick@epa.gov*.

Sincerely,

Tinka G. Hyde
Director, Water Division

cc: Barry Alexin, Chief Engineer, Rosebud Mining Company (7001-0320-005-9025-0587)
Eric Nygaard, OEPA

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