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

REPLY TO THE ATTENTION OF:

NOV 0 8 2013

WN-16J

**CERTIFIED MAIL 7009 1680 0000 7648 0222**
**RETURN RECEIPT REQUESTED**

Scott J. Nally, Director
Ohio Environmental Protection Agency
P.O. Box 1049
Columbus, Ohio 43216-1049

Re: U.S. Environmental Protection Agency General Objection to NPDES Permit, American Energy Corporation/Century Mine (Bennoc Refuse Disposal Area), Alledonia, Ohio, Permit No. OIL00159*AD, Application No. OH0144576.

Dear Mr. Nally:

On October 8, 2013, the Ohio Environmental Protection Agency (OEPA) submitted a proposed National Pollutant Discharge Elimination System (NPDES) Permit for the AEC Century Mine Bennoc Refuse Disposal Area. OEPA submitted the proposed permit for U.S. Environmental Protection Agency review under Section 402(d)(2) of the Clean Water Act (CWA) and 40 CFR § 123.44(d) in accordance with Section V. C. of the NPDES Memorandum of Agreement between EPA and OEPA. By this letter, EPA is filing this general objection in accordance with 40 C.F.R. § 123.44(a)(1). EPA generally objects to the permit because it does not include provisions consistent with the water quality based and monitoring requirements of the CWA and EPA's implementing regulations. These requirements include, but are not necessarily limited to, the requirements of Section 301(b)(1)(C) of the CWA and 40 C.F.R. §§ 122.4, 122.44(d) and 122.44(i); *see also* 40 C.F.R. §§ 123.44(c)(1), (3), (4), (5), (7) and (8). By filing this general objection, EPA reserves the right to supply specific grounds for objection by no later than January 5, 2014. *See* 40 C.F.R. § 123.44.

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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 Email at *kuefler.patrick@epa.gov*.

Sincerely,

Tinka G. Hyde
Director, Water Division

cc: American Energy Corporation (John M. Nagel Coordinator Environmental Com
Certified Mail Return Receipt 7009 1680 7648 0239
Eric Nygaard, OEPA