UNITED STATES ENVIRON ENTAL ROTECTION AGENC
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REP TO T E TTENT ON O

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Mr Brooks M Smith
Troutman Sanders LLP
Troutman Sanders Building
1001 axwell Point
Richmond irginia 23219

Dear Mr Smith

This is in response to your December 3 2013 letter confirming receipt of the U S Environmental Protection Agency s November 2 2013 letter requesting information in accordance with Section 308 of the Clean Water Act (CWA) 33 U S C § 1318 We are requesting the information to assist EPA in carrying out its oversight role under Section 402(d) of the CWA 33 U S C § 1342(d) of the proposed permit submitted by the hio Environmental Protection Agency in evaluating the extent to which the proposed permit is outside the guidelines and requirements of the CWA

It is our understanding that the information we requested should be readily available to American Energy Corporation (AEC) as it is our understanding that AEC maintains such information in accordance with requirements of the Surface Mining and Reclamation Act Consequently we believe that the timeframe included in our request should be sufficient If we are mistaken in our understanding we request that you provide EPA with any information that is readily available to AEC within the timeframe included in our request and also provide us with an estimate as to the length of time that it will take for AEC to provide information that is not readily available

As you may know EPA staff first discussed our interest in obtaining the requested information with AEC representatives on November 19 2013 and included a written summary of the information we are seeking in a November 22 email message EPA also repeatedly suggested that EPA staff and AEC representatives discuss the request to minimi e any confusion or unnecessary work on AEC s part AEC did not respond to either the email message or EPA s repeated offers to discuss the information request which is what prompted EPA s issuance of the Section 308 information request We continue to believe that it would be useful to have such a discussion and so suggest again that we schedule a conference call between appropriate EPA staff and AEC representatives to discuss the information request

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Sincerely

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