**To:** McKim, Krista[mckim.krista@epa.gov]
**Cc:** Prichard, Gary[prichard.gary@epa.gov]; Pepin, Rob[pepin.robert@epa.gov]
**From:** Pellegrini, Janet
**Sent:** Wed 10/30/2013 3:20:33 PM
**Subject:** FW: AEC- Bennoc- Flow
bennoc app.pdf

Krista,

I read thru application.

The average flows listed in the appl appl are:

Pond 001 (023) are 40,000 GPD

Pond 002 (024) = 25,000 GPD

The appl includes the Preferred Design Alternative (OEPA Memo May 17, 2012) to reconstruct the ponds to ensure they discharge intermittently. (see C.4.c.)

OEPA is ignoring this plan now and claiming intermittent discharge without the reconstruction/ enlargement of ponds.

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

**From:** Janet Pellegrini [mailto:Pellegrini.Janet@epamail.epa.gov]
**Sent:** Wednesday, October 30, 2013 10:05 AM
**To:** Pellegrini, Janet
**Subject:** Fw: AEC- Bennoc

----- Forwarded by Janet Pellegrini/R5/USEPA/US on 10/30/2013 10:04 AM -----

From: "Nygaard, Eric" <eric.nygaard@epa.state.oh.us>
To: Janet Pellegrini/R5/USEPA/US@EPA,
Date: 12/20/2012 09:54 AM
Subject: RE: FW: AEC- Bennoc

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Here is the app. I will follow up with the company comments. They were the only comments that we received on this permit.

**From:** Pellegrini.Janet@epamail.epa.gov [mailto:Pellegrini.Janet@epamail.epa.gov]
**Sent:** Wednesday, December 19, 2012 4:30 PM
**To:** Nygaard, Eric
**Cc:** Kuefler.Patrick@epamail.epa.gov
**Subject:** Re: FW: AEC- Bennoc

Eric,
Thanks for the attached files, I did not receive the Excel spreadsheet prior.
Could I ask you a favor, this email indicates the permit application file attachment was deleted,
could you send that file separately in another email to me?

I will contact our IT if it doesnt come through the second time.
thanks

Janet Pellegrini
Environmental Scientist
USEPA Region 5, Water Division, NPDES Branch
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Chicago, IL 60604-3590
phone: (312) 886-4298
fax: (312) 692-2436

"Nygaard, Eric" ---12/19/2012 03:23:57 PM---Janet – Here is information about the permit. I thought that it was sent in late November. I thoug

From: "Nygaard, Eric" <eric.nygaard@epa.state.oh.us>
To: Janet Pellegrini/R5/USEPA/US@EPA,
Cc: Kevin Pierard/R5/USEPA/US@EPA, Patrick Kuefler/R5/USEPA/US@EPA
Date: 12/19/2012 03:23 PM
Subject: FW: AEC- Bennoc

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Janet – Here is information about the permit. I thought that it was sent in late November. I thought that I also sent a hand-drawn edit of a topo map showing the outfalls. Please let me know if you need anything else.

**From:** Peterson, Katrina
**Sent:** Monday, November 26, 2012 3:02 PM
**To:** Goff, Bruce
**Subject:** FW: AEC- Bennoc

This is for your information, to have in case anyone needs it. It's a pdf of their permit file and antideg file.

**From:** Peterson, Katrina
**Sent:** Monday, November 26, 2012 3:00 PM
**To:** 'Pellegrini.Janet@epamail.epa.gov'
**Cc:** Nygaard, Eric
**Subject:** RE: AEC- Bennoc

Attached is all the file and antideg information.

**From:** Pellegrini.Janet@epamail.epa.gov [mailto:Pellegrini.Janet@epamail.epa.gov]
**Sent:** Wednesday, November 21, 2012 3:59 PM
**To:** Peterson, Katrina
**Subject:** RE: AEC- Bennoc

I checked and we dont normally receive minor permits. The need to review this permit was discussed during a recent management call between my Branch Chief & OEPA. If this was sent for some reason to a member of our staff Krista McKim, since she has worked on other OH coal permits, I apologize, she has been on maternity leave for about a month, so I cannot access her records or see if shes received it.

"Peterson, Katrina" ---11/21/2012 02:18:44 PM---I will be on vacation until Monday. I will email the information to you then. The USEPA receives a

From: "Peterson, Katrina" <Katrina.Peterson@epa.state.oh.us>
To: Janet Pellegrini/R5/USEPA/US@EPA,
Date: 11/21/2012 02:18 PM
Subject: RE: AEC- Bennoc

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I will be on vacation until Monday. I will email the information to you then. The USEPA receives all of the permit applications. Please check with your "library" first. We have been instructed by USEPA NPDES section to send all mining related permit and applications to them.

**From:** Pellegrini.Janet@epamail.epa.gov [mailto:Pellegrini.Janet@epamail.epa.gov]
**Sent:** Wednesday, November 21, 2012 11:15 AM
**To:** Peterson, Katrina
**Subject:** AEC- Bennoc

Hi Katrina,
I was just assigned to review the AEC Bennoc permit, so I will be working with you as the permit writer. Although no information re permit writer was contained in the docs I saw, the email trail from you to Eric indicated you probably are the PW.

In order for EPA to do a permit review, we must have not only the draft permit, but also the permit application.
Could you send that to me?
Or if the permit application is in the form of an NOI, I will need to see that.
I did not see the permit application in the file I was sent, I do have the draft permit.
Any supportive documentation you used to write the permit, would also be helpful, if you could send to me as well.

I am especially looking for a comprehensive site map that includes proposed disposal areas and outfalls in this draft permit.
I understand this permit is separate due to enforcement actions on an existing set of sites, OVC and another AEC which are subsidiaries of the same company.
So a site map that includes their boundaries would be appropriate.

I understand that this is an individual permit, but for reference could you also send a copy of Ohio EPA's general permit?

thanks much,
Janet

Janet Pellegrini
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phone: (312) 886-4298
fax: (312) 692-2436 [attachment "LETTERS&STUFF.PDF" deleted by Janet Pellegrini/R5/USEPA/US]

********** ATTACHMENT NOT DELIVERED **********

This Email message contained an attachment named
APPLICATION.pdf
which may be a computer program. This attached computer program could
contain a computer virus which could cause harm to EPA's computers,
network, and data. The attachment has been deleted.

This was done to limit the distribution of computer viruses introduced
into the EPA network. EPA is deleting all computer program attachments
sent from the Internet into the agency via Email.

If the message sender is known and the attachment was legitimate, you
should contact the sender and request that they rename the file name
extension and resend the Email with the renamed attachment. After
receiving the revised Email, containing the renamed attachment, you can
rename the file extension to its correct name.

For further information, please contact the EPA Call Center at
(866) 411-4EPA (4372). The TDD number is (866) 489-4900.

********** ATTACHMENT NOT DELIVERED **********

[attachment "antidegfile.pdf" deleted by Janet Pellegrini/R5/USEPA/US] [attachment "PERMIT.PDF" deleted by Janet Pellegrini/R5/USEPA/US] [attachment "amer energy_Low_Flow.xls" deleted by Janet

Pellegrini/R5/USEPA/US] *(See attached file: bennoc app.pdf)*