Subject: AEC Bennoc OH0144576 data request

Date: November 21, 2013

From: Janet Pellegrini, USEPA Region 5, NPDES

To: Jon Nagel, American Energy Corporation (AEC)

This follows up on our November 19, 2013 phone conversation, during which we discussed information USEPA would appreciate receiving from AEC to assist in reviewing proposed permit OH0144576 for AEC Bennoc Coarse Coal refuse disposal area. As you requested, the following is a written summary of the information we are interested in receiving.

1. The chemistry and monitoring information described in 1.a below, for the locations described in 1.b below, that is contained in the eight most recent consecutive Quarterly Monitoring reports that AEC submitted to the Ohio Department of Natural Resources in accordance with the Surface Mining Control and Reclamation Act (SMCRA):

    a. Information Requested

        i. Monitoring site ID,

        ii. surface elevation of monitoring site,

        iii. stream or spring flows (cfs or gpm),

        iv. date measured,

        v. pH,

        vi. total Acidity,

        vii. total Alkalinity,

        viii. total Iron,

        ix. total manganese,

        x. total suspended solids,

        xi. total hardness,

        xii. total sulfates, and

        xiii. specific conductance.

    b. Locations: All sampling locations in Piney Creek and tributaries of Piney Creek that are:

i. Upstream of currently permitted Pond 001 & Pond 002 (proposed Pond 023 & 024 respectively) and downstream of other discharges

ii. Downstream of currently permitted Pond 001 (proposed Pond 023) and upstream of other discharges

iii. Downstream of Pond 002 (proposed Pond 024) and upstream of other discharges

iv. Downstream of Pond 001 and Pond 002 and upstream of other discharges

2. A description and map of the sampling locations described in 1.b above and 4. below, and latitude and longitude coordinates for each sampling location. In addition, for each sampling location in Piney Creek and the tributaries of Piney Creek, a description of the nature of any point source discharges and other sources that contribute flows from upstream of the specific sampling location. We would also appreciate if the locations of those sources could be identified on the map.

3. On the maps described in 2, above, please provide hydrologic flow direction for all sample location points. Also provide specific flow direction for each Pond discharge so that it is clear where the pond discharge enters Piney Creek or a tributary to Piney Creek. In addition, please describe and/or indicate where exactly the sample point is hydrologically; e.g., if it appears to be at the junction of a tributary to Piney Creek, indicate whether it is sampled in the tributary or in Piney Creek at the point that the tributary enters Piney Creek.

4. On February 14, 2011, USEPA issued AEC a request for information in accordance with Section 308 of the Clean Water Act. AEC provided information in response to that request. However, the analytical data results that AEC included in response to the February 14, 2011 request were not clearly identified or labeled to coincide with the submitted sampling map location identification labels. Consequently, it is difficult to understand from which location the data was collected. It would be helpful if AEC could extract and provide to USEPA any data from the response it provided to the February 14, 2011 information request pertaining to the locations described above in 1.b and provide it to USEPA, with the data clearly correlated on the maps described above in 2. to the specific sampling locations.

5. Any other chemistry (specifically, but not limited to; chlorides, sulfates, hardness and TDS), flow, latitude and longitude coordinates for each sample location or monitoring data for the locations

described above in 1.b that AEC possesses in addition to chemistry, flow and monitoring data described above in 1.a and 2.

6. It would be helpful if this data could be provided in a clearly labeled and annotated electronic format (MS Excel Spreadsheet) with each data record labeled so that it can be linked with location ID's represented on AEC's maps, and linked to location information specific to each record.

7. The last eight consecutive Quarterly Monitoring Reports for each of the locations that were used to respond to this request.

We are hopeful that most of this information will be readily available to AEC and can be provided without too much effort on AEC's part. To that end, I'd like to have a call with you soon to further discuss our requests and AEC's ability to provide the information requested.