John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

November 15, 2013

Tinka G. Hyde
Director, Water Division
United States Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: Permit No. OIL00159*AD, American Energy Corporation/Century Mine (Bennoc)

Dear Ms. Hyde:

I am in receipt of your letter dated November 8, 2013 in which you provide a "general objection" in accordance with 40 CFR 123.44(a)(1) regarding the above referenced NPDES permit. As you are aware, Ohio EPA provided US EPA with data and its rationale for its permitting decisions in this matter and are disappointed to receive this general objection. We strongly believe the rationale is consistent with the Clean Water Act and its implementing regulations and is consistent with permitting rationales that have already been vetted and approved by US EPA.

Your letter indicates that US 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 US EPA's implementing regulations". Further, you indicate that US EPA "reserves the right to supply specific grounds for objection by no later than January 5, 2014". We are very concerned that you did not provide specific objections or, at least a list of terms and conditions that would eliminate your objection the permit.

There are serious business implications from a continued delay in this permitting matter. Therefore, Ohio EPA is requesting a meeting between management of US EPA, Ohio EPA and American Energy Corporation to obtain and address US EPA's specific concerns. I am requesting that this meeting occur within the next 6 business days. Please contact me at your earliest convenience to arrange this meeting.

Sincerely,

Scott J. Nally
Director

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