

OhioEPA
Division of Surface Water

Response to Comments

Project: Ohio River Clean Fuels, Section 401 Water Quality Certification
Ohio EPA ID #: 083293

Agency Contacts for this Project

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Ohio EPA held a public hearing on April 17, 2008, regarding the Ohio River Clean Fuels' coal-to-liquid-fuel facility. This document summarizes the comments and questions received at the public hearing and/or during the associated comment period, which ended on April 24, 2008.

Ohio EPA reviewed and considered all comments received during the public comment period. By law, Ohio EPA has authority to consider specific issues related to protection of the environment and public health. Often, public concerns fall outside the scope of that authority. For example, concerns about zoning issues are addressed at the local level. Ohio EPA may respond to those concerns in this document by identifying another government agency with more direct authority over the issue.

Comment 1: A comment was made that Ohio EPA is not addressing “the effects of mountain top removal for bringing coal to a plant like this.” The commenter continues that “the thing about mountain top removal is that it will result in straight saltation, chemical pollution of the streams in the area where the mountain tops are removed and, essentially, killing the streams in the surrounding areas of the mountain top removal. If you don’t consider those things, then you’re not really addressing the full impact of this plan.”

Response 1: As with all 401 water quality certification reviews, Ohio EPA’s review of the Ohio River Clean Fuels, LLC 401 application focuses on assessing the impacts to surface water quality as a result of the project’s proposed footprint. Likewise, Ohio coal mining companies are required to obtain their own separate 401 water quality certification from Ohio EPA for their projects. Additional

authorizations are necessary from the U.S. Army Corps of Engineers and the Ohio Department of Natural Resources. Therefore, the Ohio coal mining companies supplying coal to the Ohio River Clean Fuels facility are regulated separately from Ohio River Clean Fuels, LLC. A similar process would be in place in other coal-producing states. Consequently, the impacts to surface waters associated with the mining of coal are accounted and mitigated for during a separate 401 water quality certification review process for these operations.

End of Response to Comments