



State of Tennessee
Department of Environment and Conservation
Division of Water Pollution Control
Mining Section
3711 Middlebrook Pike
Knoxville, Tennessee 37921-6538
PHONE (865) 594-6035 FAX (865) 594-5253

Notice of NPDES Public Hearing

Public Notice M2007-10

July 18, 2007

Last Day to Submit Written Comments for Hearing: September 10, 2007

NOTICE IS HEREBY GIVEN, that the Division of Water Pollution Control, Mining Section, will hold the following public hearing pursuant to *Rule 1200-4-5-.06* of the Tennessee Department of Environment and Conservation. The date, time and location of the hearing follow:

Tuesday, August 28, 2007
7:00 p.m. EDT
Cove Lake State Park
110 Cove Lake Lane
Caryville, Tennessee

At the hearing, the Department will receive public comments concerning the reissuance of a National Pollutant Discharge Elimination System (NPDES) permit to the following applicant:

Company Information

Mr. Ken Hodak
National Coal Corporation
8915 George Williams Road
Knoxville, TN 37923

Site Information

National Coal Corporation
Jordan Ridge Refuse Area
NPDES Permit TN0062961
Scott County
Smoky Junction, TN

The draft NPDES permit covers discharges of treated wastewater and storm water from an existing coal refuse area. An NPDES permit was first issued in 1990 for this facility at its present location.

Discharges are to Cross Creek and an unnamed tributary of New River. These streams currently meet their designated uses. The tentative decision to issue this permit is based on the Division's determination that the discharges will not result in degradation of these waters.

The hearing officer may limit oral presentations to five minutes and require that all testimony be relevant to water quality-related issues for this facility. Undue repetition in oral presentations should be avoided so that all interested parties will have an opportunity to present their concerns relative to water quality issues. Written testimony will be accepted at the hearing and for at least ten days following the hearing.

Comments not related to water quality or to the information contained in the permit application will not be accepted nor considered part of the hearing record. Issues not directly related to water quality or to the draft permit, such as health, safety, blasting, traffic or related issues will not be considered. We do not control these matters and consideration would not contribute relevant information to the decision making process for the NPDES permit application.

Interested persons may obtain additional information and copy the application, draft permit, and supporting documentation from the permit files maintained at the Mining Section's office at the letterhead address. There is a nominal fee for copying. These files are available for public inspection during normal visiting hours by contacting Elaine Killion by email at killion.Elaine@state.tn.us or by phone at (865) 594-1062 to schedule an appointment for the review. A copy of the permit application and draft permit will be available for review at the hearing.

Individuals with disabilities who wish to participate in these proceedings should contact the Department's ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, 1-866-253-5827. Such contact may be in person, by writing, telephone, or other means and should be made no later than **August 3, 2007**, to allow time to provide such aid or services. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).