

## Estill County Energy Partners, LLC Environmental Permitting Requirements

PERMIT	REGULATORY AGENCY	REGULATED ACTIVITY	AUTHORITY	STATUS
Prevention of Significant Deterioration	DAQ	Construction of a major source of air pollution and air pollution control equipment. Required in attainment areas or unclassifiable areas. Estill County is an attainment area.	401 KAR 51:017	Modeling protocol submitted 02/20/04. Revised modeling protocol submitted 03/19/04.
Title V Operating Permit and Acid Rain Permit	DAQ	Construction and operation of a major source of air pollution and pollution control equipment. Acid rain permit is required for > 25MW combustion unit.	401 KAR 52:020 401 KAR 52:060	See above.
National Pollutant Discharge Elimination System (NPDES) Permit	DW	Discharge of process wastewater from a point source.	401 KAR 5:055	Permit application submitted 5/28/04.
NPDES General Storm Water Permit (a) construction (b) operation	DW	Discharge of storm water from a point source within a covered SIC code.	401 KAR 5:055 and 5:060	See NPDES above.
Sewer Connection Permit Approval to Construct / Modify Sewer Lines, Pump Stations or Force Mains	DW	Sewer line extensions to a POTW.	401 KAR 5:005	Irvine Municipal Utilities sewer connection available at entrance to Estill County Industrial Development Authority on Coal Wash Road.
Wastewater Facility Construction Permit	DW	Construction of facility for wastewater treatment	401 KAR 5:005	See NPDES above.
Water Withdrawal Permit	DW	Withdrawal of public water.	KRS 151.140 401 KAR 4:010 and 4:200	DW has issued letter confirming that an adequate supply of water is available. Discussions continuing on timing of permit.
Storage Tank Permits (a) Above Ground (b) Underground	(a) State Fire Marshall (b) DWM	(a) All AST systems (b) All UST systems	(a) 815 KAR 10:060 (b) 401 KAR 42:200	To be submitted, if necessary
Groundwater Protection Plan	DW	Activities with the potential to contaminate groundwater.	401 KAR 5:037	To be submitted

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Section 401 Clean Water Act Water Quality Certification (see USACE)	DW	Any discharge into waters of the Commonwealth. associated with any federally licensed or permitted activity.	§ 401 CWA KRS 224.16-050 401 KAR Ch. 5	To be submitted
Solid Waste Disposal Permit	DWM and DSMRE	Is it contemplated that ash will be disposed on-site.	KRS 350.270	Discussions continue with DWM and DSMRE to regulate on-site ash disposal under KRS 350.270.
Boiler / Pressure Vessel Permit	Dept. of Housing, Buildings and Construction	Installation of boilers / pressure vessels.	815 KAR 15:025 KRS 236.240	To be submitted
US Army Corps of Engineers Permit (Individual or Nationwide)	USACE	Permit for structures and/or work in or affecting navigable waters of the US.	33 CFR 330 33 CFR 322.3	Intake and outfall structures are being designed.
FAA Notice FAR Part 77 Notice	FAA	Any proposed construction greater than 200' above ground level	14 CFR 77	To be submitted
Cumulative Environmental Assessment	KNREPC	Construction of a facility to be used for the generation of electricity	KRS 224.10-280	To be submitted

Agency abbreviations:

- DAQ            Kentucky Natural Resources and Environmental Protection Cabinet – Division for Air Quality
- DW            Kentucky Natural Resources and Environmental Protection Cabinet – Division of Water
- DWM          Kentucky Natural Resources and Environmental Protection Cabinet – Division of Waste Management
- DSMRE       Kentucky Natural Resources and Environmental Protection Cabinet – Department for Surface Mining Reclamation and Enforcement
- KNREPC      Kentucky Natural Resources and Environmental Protection Cabinet
- USACE        United States Army Corps of Engineers