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# U.S. EPA Objects to Wastewater Permit

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## Dayton Power & Light J.M. Stuart NPDES Permit

Aberdeen, Ohio

March 2011

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### Public hearing

U.S. EPA has scheduled a public hearing on its objections to a draft wastewater permit for one of Dayton Power & Light Co.'s power generating stations. The meeting will be:

**6:30 p.m.**

**Wednesday, March 23**

**Reading Room  
Southern Hills Career &  
Technical Center  
9193 Hamer Rd.  
Georgetown, OH**

Written and oral comments will be accepted at the hearing after a brief presentation by U.S. EPA. Written comments will be accepted by mail, e-mail and fax until Thursday, April 7. Send comments to:

### Sean Ramach

NPDES Program Branch  
EPA Region 5 (WN-16J)  
77 W. Jackson Blvd.  
Chicago, IL 60604  
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312-886-5284  
Fax: 312-692-2502

### More information

General information and documents concerning the permit and public hearings are available at: [www.epa.gov/region5/water/npdeste/k/dplstuart](http://www.epa.gov/region5/water/npdeste/k/dplstuart) and at U.S. EPA's Chicago office. Contact Sean Ramach to make an appointment.

The U.S. Environmental Protection Agency has objected to the Ohio Environmental Protection Agency's draft wastewater discharge permit for Dayton Power & Light Co.'s J.M. Stuart Power Station in Aberdeen. A public hearing will be held March 23 (*see box, left*), and a public comment period is open until April 7.

The J.M. Stuart Station is a four-unit, coal-fired power plant with a generating capacity of 2,400 megawatts on State Route 52, four miles east of Aberdeen. As part of its operating process, the plant discharges wastewater into Little Threemile Creek, Buzzard's Roost Creek and the Ohio River.

### NPDES permits

The Clean Water Act requires a National Pollutant Discharge Elimination System permit for any facility that discharges wastewater into surface water. The permit sets conditions the applicant must meet to comply with the Clean Water Act and safeguard public health and the environment. Ohio EPA has authority to issue NPDES permits for wastewater discharges. However, U.S. EPA may object to a proposed permit if it does not comply with the Clean Water Act.

U.S. EPA objected because the record does not demonstrate that the temperature limits in Ohio EPA's proposed permit would adequately protect aquatic life in Little Threemile Creek.

Federal regulations give Dayton Power & Light the right to ask for a public hearing on U.S. EPA's objections.

### Next Steps

U.S. EPA will review all comments and respond to them in a document called a "Responsiveness Summary." U.S. EPA will then tell Ohio EPA whether it reaffirms, modifies or withdraws its objection. Both documents will be available on the U.S. EPA's website. If U.S. EPA reaffirms or modifies its objections, Ohio EPA will have 30 days to submit a revised permit.