

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**

ENVIR. APPEALS BOARD

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In re: South Carolina Electric & Gas Company - Cope Station)	NPDES Appeal No. 06-09
)	
NPDES Permit No. SC 0045772)	

STATUS REPORT ON PERMIT MODIFICATION

Counsel for Petitioner, South Carolina Electric & Gas Company

(SCE&G) and the U.S. Environmental Protection Agency (EPA) Region 4 previously reported that EPA issued a notice of the proposed permit including the agreed upon modifications on December 28, 2007, seeking public comment and Section 401 Certification from the State. The public comment period closed on January 28, 2008, and as of January 30, 2008, only one set of comments has been received. Those comments, from the Petitioner, concerned issues we have discussed and EPA plans to address those comments in the final permit. Under the federal rules and EPA's normal business practices, we allow several days to ensure all mailed comments are received. Therefore, EPA plans to issue the final permit the week of February 4, 2008. As we noted in the past there has been no significant public interest expressed and we do not expect any additional comments.

At the time of the public notice, EPA also requested section 401 certification from the state. At this time EPA has not received the certification, and the challenge to the prior certification is still pending. EPA has included specific re-opener provisions in the proposed permit that will allow us to issue the permit without certification and reopen the permit later if needed.

As there are no issues remaining concerning the petition, upon receipt of the final permit, Petitioner will respectfully request that NPDES Appeal No 06-09 be dismissed.

Respectfully submitted this 30th day of January, 2008.

**UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, Region 4**



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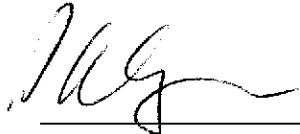
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CERTIFICATE OF SERVICE

I certify that on January 30, 2008, I sent by Federal Express the original and five copies of the January 30, 2008, Status Report on Permit Modification in NPDES Appeal No. 06-09 to the Clerk of the Board, Environmental Appeals Board 1341 G Street, NW, Suite 600, Washington, DC 20005. I further served Ms. Elizabeth Partlow and J. Hagood Hamilton by Electronic Copy.



Philip G. Mancusi-Ungaro
Counsel for the Environmental
Protection Agency