

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

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ENVIR. APPEALS BOARD

In re: South Carolina Electric & Gas
Company - Cope Station

NPDES Permit No. SC 0045772

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) NPDES Appeal No. 06-09
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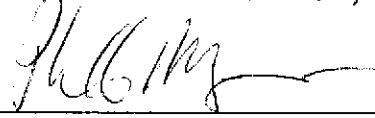
STATUS REPORT ON PERMIT MODIFICATION

Counsel for Petitioner, South Carolina Electric & Gas Company (SCE&G) and the U.S. Environmental Protection Agency (EPA) Region 4 are pleased to report that EPA issued a notice of a proposed NPDES permit on December 28, 2007 seeking public comment and Section 401 Certification from the State of South Carolina. The public comment period will close on January 27, 2008. At that time, EPA plans to make any appropriate revisions to the proposed permit based on public comment and to issue the final permit unless a hearing is requested under 40 CFR §124.11, and the Regional Administrator determines there is a significant degree of public interest in holding a hearing. We would note that in the past there has been no significant interest expressed. When the final permit is issued, SCE&G will withdraw its appeal of the NPDES permit currently under appeal.

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, but as was discussed in the status conference, EPA has included specific re-opener provisions in the proposed permit that will allow EPA to issue the permit without certification and reopen the permit later if needed.

Respectfully submitted this 15th day of January, 2008.

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



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CERTIFICATE OF SERVICE

I certify that on January 15, 2008, I sent by Federal Express the original and five copies of the January 15, 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
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Protection Agency