

April 7, 2008

Environmental Appeals Board
U.S. Environmental Protection Agency
1341 G Street NW, Suite 600
Washington, D.C. 20005

Attention: Eurika Durr, Clerk of the Board

To whom it may concern:

I am requesting an extension of two weeks for the BHP Navajo Mine NPDES Permit NN002819 appeal period. As the principal author of the comments submitted by Clean Air Task Force, San Juan Citizens Alliance, and Dine CARE, I never received notice of the issuance of this permit or its accompanying documents (Permit No. NN0028193 AUTHORIZATION TO DISCHARGE UNDER THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM, FACT SHEET and RESPONSE TO COMMENTS). This notice and these documents were sent to me at Mr. Jeffrey Stant, 10 West Main, Suite 104, Cortez, CO 81321, an address of which I have no previous knowledge, and have never been in communication with. To my knowledge, at no time, did I or anyone on my behalf ever communicate to USEPA that this Cortez, CO address was my address. My mailing address is Jeffrey Stant, 217 South Audubon Road, Indianapolis, IN 46219.

So I never received Notice of the issuance of this permit or any information related to it even though I submitted substantive, timely comments dated March 2, 2007 on this Permit as a draft permit and these comments were the sole subject addressed in the RESPONSE TO COMMENTS issued as part of the final NPDES permit. Furthermore my correct email address, jeffreystant@sbcglobal.net had been provided to Mr. John Tinger, the EPA official in charge of the permit at Region IX on several occasions in previous communications with him concerning this Permit before it was final issued yet I received no notice of the permit issuance at this email address either.

We are concerned that USEPA's issuance of this permit without effluent standards for TDS, sulfate, boron, selenium, arsenic, cadmium, and lead will result in deteriorated water quality in downstream waters from the BHP Navajo Mine, which waters are already suffering from violations of water quality standards and/or elevated levels for these pollutants. We asking for an additional two weeks to evaluate whether to appeal this permit and accompanying materials, given the record of comment that we submitted, the fish consumption advisory for selenium in receiving waters that relates to these comments and the water quality monitoring data at hand. Thank you for your time.

Respectfully,

Jeffrey Stant
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