

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

SIERRA CLUB and PRAIRIE RIVERS	)	
NETWORK,	)	
	)	
Petitioners,	)	
	)	
v.	)	PCB No. 22 – 69
	)	(NPDES Permit Appeal)
	)	
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY and WILLIAMSON ENERGY LLC,	)	
	)	
Respondents.	)	

**NOTICE OF FILING**

To: See Attached Service List

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board this Notice of Filing, the Certificate of Record on Appeal, the Record, and a Certificate of Service, copies of which are attached hereto and herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY

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**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

SIERRA CLUB and PRAIRIE RIVERS )  
NETWORK, )  
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ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY and WILLIAMSON ENERGY, LLC, )  
 )  
Respondents. )

**CERTIFICATE OF RECORD ON APPEAL**

Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), in accordance with the procedural rules of the Illinois Pollution Control Board (“Board”) as set forth in 35 Ill. Adm. Code 105.212 and 105.116, files as its Record in this cause the Illinois EPA’s record of National Pollutant Discharge Elimination System (“NPDES”) Permit number IL0077666, issued to Williamson Energy, LLC, on April 15, 2022, which is attached and consists of the following documents:

<b>Doc #</b>	<b>Log #</b>	<b>Document Description</b>	<b>Date</b>
1.		Williamson Energy, LLC - Pond Creek Mine Final Renewed Permit (Modified After Public Notice) NPDES Permit IL0077666 (pp. R00002-R00033).	April 15, 2022
2.		Williamson Energy, LLC Pond Creek Mine No. 1 NPDES Permit IL0077666 Responsiveness Summary Regarding December 18, 2019 Public Hearing (pp. R00035-R00113).	April 15, 2022
3.		Memo from Jeffrey Guy to John Kim RE: Williamson Energy, LLC NPDES Board Recommendation (pp. R00115).	March 28, 2022

4. Email from Scott Twait to Joe Stitely RE: Williamson Energy - Pond Creek Mine [Duplicate of Doc. No. 46] (pp. R08600-R08627). December 9, 2015
5. IDNR EcoCAT Review #2001813 - 2-Year Renewal (pp. R00146-R00147). October 22, 2021
6. 8188-20 Discussion of Special Condition No. 15 regarding runoff from storm event (pp. R00149). October 20, 2020
7. 8143-20 Supplemental information concerning Big Muddy Mussel Survey at the proposed mixing zone (pp. R00151-R00164). July 20, 2020
8. EcoAnalysts, Inc. Final Report - Unionid survey at a proposed diffuser outfall site, Big Muddy River, Franklin County, Illinois (pp. R00166-R00178). July 1, 2020
9. 8161-20 Applicant's response to Agency questions for responsiveness summary (pp. R00180-R00209). April 21, 2020
10. Memo from Scott Twait to Iwona Ward RE: WQBELs Pond Creek Mine and attached Excel Spreadsheet re: Outfall 011 (pp. R00211-R00224). April 15, 2020
11. 3117-15-B Supplemental information to NPDES Permit renewal – Additional Water Samples for RP Analysis, Low-Level Mercury Analysis, Dissolved Iron Analysis (pp. R00226-R00501). April 1, 2020
12. 2445-16-B Supplemental information to NPDES Permit renewal – Benthic Macroinvertebrate Community Survey, Fresh Water Mussels of the Big Muddy River, Update Cormix Model Results, Potesta Opinion of Ecological Effects of Renewal, Big Muddy River TMDL Reports, Big Muddy Fish Data, Supplemental Water Data (pp. R00503-R02584). January 17, 2020

13. Exhibit List for Williamson Energy - Pond Creek Mine NPDES Permit Hearing NPDES permit Number IL0077666 - December 18, 2019 - List details each exhibit 1-399 (pp. R02586-R02594). December 18, 2019
14. Record of Proceedings of the public hearing taken at Rent Once Park Diamond Club, 1000 Miners Drive, Marion, Illinois, on December 18, 2019, at 6:00 p.m. before Lori A. Rogers, Notary Public/Illinois Certified Shorthand Reporter No. 084-002872 (pp. R02596-R02796). December 18, 2019
15. Exhibits 1-399 for Williamson Energy, LLP - Pond Creek Mine NPDES permit Hearing NPDES permit Number IL0077666 - December 18, 2019 (pp. R02798-R05884). December 18, 2019
16. 2445-16-A Supplemental information to Anti-Degradation Document, Big Muddy Flood Analysis, and Modeling of Big Muddy River Chloride dispersion downstream of the proposed mixing zone (pp. R005886-R05969). December 17, 2019
17. Memo from John Corn to James Plumley RE: Mixing Zone Calculations (pp. R05971-R06154). December 13, 2019
18. Pond Creek Mine – Geotextile Tube Refuse Disposal – Permit 2014-MW-4275 (pp. R06156-R06161). October 2, 2014
19. IDNR, Pond Creek Mine Dewatering at Depth Consultation Program - EcoCAT Review #2001813 (pp. R06163-R06165). September 26, 2019
20. Williamson Energy, LLC, Draft Renewed NPDES Permit No. IL0077666 and Public Notice/Fact Sheet dated July 12, 2009 - August 12, 2019 (pp. R06167-R06183). July 12, 2019

21. Memo from Darin LeCrone to Manager, DWPC/FOS, Marion Region RE: Williamson Energy, LLC Pond Creek Mine NPDES Permit No. IL0077666 - Attachments: Draft Renewed Permit, Public Notice/Fact Sheet, Letters from Darin Lecrone to U.S. Fish & Wildlife Service, Franklin County Clerk, Williamson County Clerk, Department of the Army St. Louis District Corps of Engineers, Williamson Energy, LLC (pp. R06185-R06234). July 12, 2019
22. 9198-19 Email from James Plumley to Iwona Ward, Clayton Cross RE: NPDES Permit IL0077666 (pp. R06236). June 27, 2019
23. 3117-15-A Supplemental information to NPDES renewal for Outfalls 009 and 009ES (pp. R06238-R06240). June 19, 2019
24. Memo from Scott Twait to Iwona Ward RE: WQBELs - Pond Creek Mine (pp. R06242) June 18, 2019
25. Memo from Scott Twait to Iwona Ward RE: Antidegradation Assessment (pp. R06244). June 18, 2019
26. 9152-19 Memo from John Corn and Pam Hoover to James Plumley RE: 2019 Pond 009 Effluent Results (pp. R06246-R06248). April 26, 2019
27. Email from Scott Twait to Iwona Ward RE: Williamson Energy - Pond Creek (pp. R06250-R06256). March 28, 2019
28. 9109-19 IBR No. 83 to OMM Permit No. 375 (pp. R06258-R06627). March 27, 2019
29. 9082-19 IBR No. 78 to OMM Permit No. 375 (pp. R06629-R06733). February 14, 2019
30. 9083-19 IBR No. 79 to OMM Permit No. 375 (pp. R06735-R06902). February 14, 2019

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|-----|-------------|---|-------------------|
| 31. | 0192-18     | Williamson Energy, LLC - Pond Creek Mine No. 1 Permit Application 456 Water Management Pipeline - Volume 1 and 2 (pp. R06904-R07905).   | July 18, 2018     |
| 32. |             | Pond Creek Mine – Permit 2017-MA-1186-1 (pp. R07907-R07911).  | November 6, 2017  |
| 33. | 1385-17     | Water Holding Cell Construction and Operation IBR/IPR (pp. R07913-R08154).  | October 26, 2017  |
| 34. | 1186-17-A&B | Groundwater Section review and comment on Pond Creek Mine Permit #417; Williamson Energy, LLC Letter to Dora Maschhoff RE: water holding cell supplemental information (pp. R08156-R08164). | August 28, 2017   |
| 35. | 1186-17     | Permit Application for New Water Holding Cell Construction and Operation (pp. R08167-R08239).   | April 4, 2017     |
| 36. |             | Memo from Scott Twait to Iwona Ward RE: WQBELs Williamson Energy, LLC NPDES Permit No. IL 0077666 (pp. R08241-R08250).  | December 13, 2016 |
| 37. |             | Memo from Scott Twait to Iwona Ward RE: WQBELs Williamson Energy, LLC NPDES Permit No. IL 0077666 [Duplicate of Doc. No. 36] (pp. R08252-R08261).   | December 13, 2016 |
| 38. |             | Memo from Scott Twait to Iwona Ward RE: Antidegradation Assessment for RDA No. 3, Outfall 005, and Outfall 009 (pp. R08263-R08266).   | December 13, 2016 |
| 39. |             | Memo from Scott Twait to Iwona Ward RE: WQBELs for the Big Muddy River Discharge - Outfall 011 (pp. R08268-R08269).   | December 12, 2016 |
| 40. |             | Memo from Scott Twait to Iwona Ward RE: Antidegradation Assessment for Big Muddy River Mixing (pp. R08271-R08275).  | December 12, 2016 |

41. Email from Scott Twait to David Muir RE: Causes of impairment for N-11 (pp. R08277-R08307). December 9, 2016
42. 2445-16 Williamson Energy, LLC – Anti-Degradation Document for Pond Creek Mine (pp. R08309-R08453). November 21, 2016
43. Memo from John Corn and Michael Corn to Simon Stepp RE: Williamson Energy Mine Proposed Pond Creek Discharge Mixing Zone Analysis (pp. R08455-R08475). November 18, 2016
44. 2273-16 Pond Creek Mine – Permit No. 2016-MA-2273; IBR No. 65 to OMM Permit No. 375 (pp. R08477-R08526). August 26, 2016
45. 3001-15-C Responses to Agency letter dated February 13, 2015, regarding Permit No. 417 Application, RDA No. 3 (pp. R08528-R08598). December 22, 2015
46. Email from Scott Twait to Joe Stitely RE: Williamson Energy - Pond Creek Mine (pp. R08600-R08627). December 9, 2015
47. 3432-15 Pond Creek Mine – Permit No. 2015-MA-3432; Williamson Energy, LLC Revised Permit Application for Refuse Placement at RDA No. 3 (pp. R08629-R08651). November 5, 2015
48. 3403-15 Williamson Energy, LLC Permit Application for Refuse Placement at RDA No. 3 (pp. R08653-R08673). September 18, 2015
49. 3117-15 NPDES Permit Renewal #2 Application to Marion Regional Office (pp. R08675-R08803). February 19, 2015
50. 3001-15-A Groundwater Section review and comment on Pond Creek Mine Permit #417 and RDA No. 3 (pp. R08805-R08810). February 10, 2015

51.		Memo from Joe Stitely to Bob Mosher RE: Pond Creek Mine No. 1 – Information from IDNR/OMM Permit No. 417 Application (pp. R08812-R08858).	January 5, 2015
52.	3001-15	OMM Permit No. 417 Application – Coal Refuse Disposal Facility No. 3 (pp. R08860-R10525).	January 2, 2015
53.		NPDES Permit Renewal #2 Application to Bureau of Water, Springfield (pp. R10527-R10685).	February 19, 2015
54.	4275-14-B	Supplemental Information for Permit No. 375 – Geotextile Tube IPR Area (pp. R10687-R10756).	September 29, 2014
55.	4275-14-C	Groundwater Section review and comment on OMM Permit No. 375 – Geotextile Tube IPR groundwater monitoring and protection plan (pp. R10758-R10763).	September 26, 2014
56.	4275-14-A	IEPA comments RE: Supplemental information to IPR for Geotextile Tubes (pp. R10765-R10777).	September 26, 2014
57.	4275-14	Correspondence RE: request to place refuse in an area currently permitted for soil storage to be used to place fine coal refuse into geotextile tubes or place coarse coal refuse (pp. R10779-R10834).	July 25, 2014
58.	4237-14	IBR No. 60 to OMM Permit No. 375 (pp. R10836-R10896).	July 9, 2014
59.	4088-14	IBR No. 57 to OMM permit No. 375 (pp. R10898-R10971).	February 4, 2014
60.	5477-13	IBR No. 58 to OMM Permit No. 375 (pp. R10973-R11004).	November 7, 2013
61.	5378-13	RDA Nos 1 and 2 DTE Impoundment Plan (pp. R11006-R11276).	October 3, 2013

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62.	5530-13	IBR No. 55 to OMM Permit No. 375 (pp. R11278-R11352).	September 27, 2013
63.	5168-13	IBR No. 52 to OMM Permit No. 375 (pp. R11354-R11408).	April 26, 2013
64.	6562-12	Permit No. 2013-MA-6562; IBR No. 49 to OMM Permit No. 375 (pp. R11410-R11455).	January 2, 2013
65.	6431-12-A	Responses to OMM A/I letter regarding Coal Refuse Disposal Facility No. 2 – Phases 5A, 7 and 8 (pp. R11457-R11471).	September 25, 2012
66.	1465-07-G	Supplemental information for Coal Refuse Disposal Facility Nos. 1 and 2 (pp. R11473-R11526).	September 25, 2012
67.	6431-12	IPR No. 44 to OMM Permit No. 375 (pp. R11528-R11929).	September 25, 2012
68.	6141-12	IBR No. 41 to OMM Permit No. 375 (pp. R11931-R11965).	March 2, 2012
69.	6039-12	IBR No. 38 to OMM Permit No. 375 (pp. R11967-R12037).	January 20, 2012
70.	7395-11	IBR No. 33 to OMM Permit No. 375 (pp. R12039-R12119).	October 4, 2011
71.	7225-11	IPR No. 38 to OMM Permit No. 375 (pp. R12121-R14859).	April 27, 2011
72.	7185-11	Coal Refuse Disposal Facility No. 2 Phases 4 through 7 (pp. R14861-R14986).	April 21, 2011
73.	8554-10	IPR No. 37 to OMM Permit No. 375 (pp. R14988-R15060).	December 8, 2010
74.	8114-10	Modification to Abandon – Permit No. IL0078565 – Williamson Energy, LLC (pp. R15062-R17461).	April 7, 2010
75.	8091-10	IBR No. 25 to OMM Permit No. 375 (pp. R17463-R17543).	March 12, 2010

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76.	9555-09	NPDES Permit Renewal Application (pp. R17545-R17648).	December 31, 2009
77.		NPDES Permit Renewal Application – Forms 1 and 2C (pp. R17648-R17660).	December 31, 2009
78.	9198-09-A	Supplemental information for IPR to OMM Permit No. 375 dated April 21, 2009 (pp. R17662-R17664).	May 18, 2009
79.	9198-09	IPR to OMM Permit No. 375 (pp. R17666-R17708).	April 23, 2009
80.	9005-09	IPR No. 16 to OMM Permit No. 375 (pp. R17710-R17735).	January 7, 2009
81.	1465-07-E	Groundwater Section review and comment on Pond Creek Mine Permit #375 (pp. R17737-R17737).	December 11, 2008
82.	1465-07-D	Williamson Energy, LLC – written response to Agency letter dated December 5, 2007 (pp. R17739-R17755).	September 29, 2008
83.	0369-08	IBR No. 14 to OMM Permit No. 375 (pp. R17757-R17776).	September 22, 2008
84.	0371-08	IPR No. 13 to OMM Permit No. 375 (pp. R17778-R17783).	September 22, 2008
85.	0346-08	Supplemental information in response to comments dated April 4, 2008 (pp. R17785-R19691).	August 22, 2008
86.	0190-08-A	Request for IBR to OMM Permit No. 375 (pp. R19693-R19698).	June 4, 2008
87.	0190-08	Request for IBR to OMM Permit No. 375 (pp. R19700-R19730).	April 24, 2008
88.	1525-07-A	Supplemental information in response to to Agency letter dated November 29, 2007 (pp. R19732-R19776).	April 10, 2008

89.	1465-07-B	Supplemental information RE: Significant Permit Revision No. 2 to OMM Permit No. 375 (pp. R19778-R19948).	February 22, 2008
90.	1465-07-A	Groundwater Section review and comment on groundwater monitoring system (pp. R19950-R19955).	December 3, 2007
91.	1525-07	IBR No. 11 to OMM Permit No. 375 (pp. R19957-R20039).	November 8, 2007
92.	1396-07-A	Supplemental Information RE: IBR No. 10 to OMM Permit No. 375 (pp. R20041-R20054).	November 6, 2007
93.	1520-07	IPR No. 9 to OMM Permit No. 375 (pp. R20056-R20059).	November 6, 2007
94.	1465-07	Significant Permit Revision No. 20 to OMM Permit No. 375 (pp. R20061-R20581).	October 22, 2007
95.	1396-07	IBR No. 10 to OMM Permit No. 375 (pp. R20583-R20659).	September 6, 2007
96.	2380-06-A	Supplemental Information to IBR dated July 17, 2006 (pp. R20661-R20669).	October 12, 2006
97.	2416-06-A	Supplemental Information RE: IBR No. 1 to OMM Permit No. 375 (pp. R20671-R20690).	October 6, 2006
98.	2416-06	IBR No. 4 to OMM Permit No. 375 (pp. R20692-R20725).	October 6, 2006
99.	2414-06	IPR No. 4 to OMM Permit No. 375 (pp. R20727-R20947).	October 2, 2006
100.	2413-06	IPR No. 2 to OMM Permit No. 375 (pp. R20949-R20969).	October 2, 2006
101.	2380-06	IBR No. 5 to OMM Permit No. 375 (pp. R20971-R21068).	August 25, 2006

102. 2377-06 Proposed coal refuse disposal facility –  
Pond Creek mine No. 1 (pp. R21070-  
R21202). August 22, 2006
103. Pond Creek Data converted to .pdf from an  
Excel Spreadsheet referenced in Document  
10 (pp. R21204-R21265).
104. Review of Williamson RDA Water Balance  
Model (pp. R21267-R21268)

CERTIFICATION

IWONA WARD hereby certifies on information and belief that the entire record of the Respondent's decision, as defined in 35 Ill. Adm. Code 105.212(b), is hereby provided.

BY: /s/ Iwona Ward  
Iwona Ward  
Environmental Engineer III  
Mine Pollution Control Program  
Illinois Environmental Protection Agency

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY

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Dated: August 17, 2022

**CERTIFICATE OF SERVICE**

I, Katie J. Johnson, certify that on the 17<sup>th</sup> day of August, 2022, I caused to be served by Electronic Mail the foregoing **Notice of Filing**, **Certificate of Record on Appeal**, and **Record** to the parties listed below:

For the Petitioners

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Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this Certificate of Service are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

/s/ Katie J. Johnson  
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