

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF:

PEOPLE OF THE STATE OF	)	
ILLINOIS,	)	
	)	
Complainant,	)	
	)	PCB 2010-061 and 2011-002
ENVIRONMENTAL LAW AND	)	(Consolidated – Water –
POLICY CENTER, on behalf of PRAIRIE	)	Enforcement)
RIVERS NETWORK and SIERRA CLUB,	)	
ILLINOIS CHAPTER,	)	
	)	
Intervenor,	)	
	)	
v.	)	
	)	
FREEMAN UNITED COAL	)	
MINING CO., L.L.C., and	)	
SPRINGFIELD COAL COMPANY, L.L.C.,	)	
	)	
Respondents.	)	

**NOTICE OF DEPOSITION**

To: Michael Roubitchek  
Assistant Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Ave. East  
P.O. Box 19276  
Springfield, IL 62794-9276  
Mike.Roubitchek@Illinois.gov

Thomas Davis  
Assistant Attorney General  
Environmental Bureau  
500 South Second Street  
Springfield, IL 62706  
tdavis@atg.state.il.us

PLEASE TAKE NOTICE that Respondent Springfield Coal Company, LLC (“Springfield Coal”), pursuant to Rules 101.616 and 101.622 of the Illinois Pollution Control Board, and Rules 202 and 206(a)(1) of the Illinois Supreme Court Rules, shall take the discovery deposition of the Illinois Environmental Protection Agency (“IEPA”), by its designated

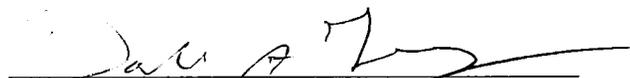
representative(s) who is or are most qualified to testify on their behalf with respect to the subject matters identified in Exhibit A, attached hereto.

This deposition shall take place before a court reporter, Notary Public, or other official authorized to administer oaths, at the offices of Bryan Cave LLP, 161 N. Clark St., Suite 4300, Chicago, Illinois 60601. The deposition shall be recorded stenographically and by videotape, and it shall commence on a date mutually agreeable to the parties, but not later than June 11, 2013, and continue from day to day thereafter until completed.

Dated: May 10, 2013

Respectfully submitted,

BRYAN CAVE LLP



Dale A. Guariglia, Missouri Bar #32988  
John R. Kindschuh, Illinois Bar #6284933  
One Metropolitan Square  
211 North Broadway Suite 3600  
St. Louis, MO 63102  
Telephone: (314) 259-2000

*Attorneys for Respondent,  
Springfield Coal Company, LLC*

**EXHIBIT A TO NOTICE OF DEPOSITION  
OF ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“IEPA”)**

*Subject Matters of Examination*

1. IEPA’s data, information, and records pertaining to Springfield Coal LLC (“Springfield Coal”).
2. Springfield Coal’s permits, including National Pollution Discharge Elimination System (“NPDES” permits), and applications for permits and renewals, for which IEPA has issuing authority.
3. IEPA’s actions—or omissions—related to issuance, modification, and renewal of permits, including NPDES permits, to Springfield Coal.
4. Sampling data related to the Industry Mine, located in McDonough and Schuyler Counties.
5. Springfield Coal’s mining practices.
6. The allegations contained in the February 10, 2010 Complaint, filed by the People of the State of Illinois in the case of *Illinois v. Freeman United Coal Mining Company, LLC and Springfield Coal Company, LLC*, PCB No. 10-61 (“PCB No. 10-61”).
7. Enforcement actions brought against Springfield Coal or related companies either by IEPA or the Attorney General of the State of Illinois (“Attorney General”).
8. The calculation of civil penalties that IEPA and/or the Attorney General have demanded against Springfield Coal in any enforcement action, including PCB No. 10-61.

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ENVIRONMENTAL LAW AND	)	Consolidated – Water – Enforcement
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ILLINOIS CHAPTER,	)	
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Intervenor,	)	
	)	
v.	)	
	)	
FREEMAN UNITED COAL	)	
MINING CO., L.L.C., and	)	
SPRINGFIELD COAL COMPANY, L.L.C.,	)	
	)	
Respondents.	)	

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**NOTICE OF ELECTRONIC FILING**

TO:

Thomas Davis  
Assistant Attorney General  
Environmental Bureau  
500 South Second Street  
Springfield, IL 62706

Carol Webb  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
Springfield, IL 62794

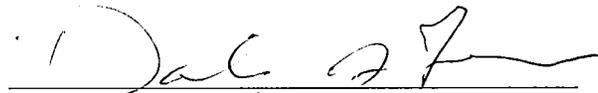
John Therriault, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph St., Suite 11-500  
Chicago, IL 60601

Jessica Dexter  
Environmental Law & Policy Center  
35 E. Wacker Dr., Ste. 1300  
Chicago, IL 60601

Steven M. Siros  
E. Lynn Grayson  
Allison Torrence  
Jenner & Block LLP  
353 N. Clark Street  
Chicago, IL 60654-3456

PLEASE TAKE NOTICE that on May 10, 2013, I electronically filed with the Clerk of the Pollution Control Board, Springfield Coal Co., LLC's Notice of Deposition to the Illinois Environmental Protection Agency, copies of which are herewith served upon you.

BRYAN CAVE LLP



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John R. Kindschuh, Illinois Bar #6284933  
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*Attorneys for Respondent,  
Springfield Coal Company, LLC*