

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>PEOPLE OF THE STATE OF ILLINOIS,</b>	)	
	)	
<b>Complainant,</b>	)	
	)	
<b>v.</b>	)	<b>PCB No. 10-86</b>
	)	<b>(Water-Enforcement)</b>
<b>ILLINOIS FUEL COMPANY, LLC,</b>	)	
<b>a Kentucky limited liability company,</b>	)	
	)	
<b>Respondent.</b>	)	

**NOTICE OF ELECTRONIC FILING**

PLEASE TAKE NOTICE that on July 29, 2014, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, a MOTION TO DEEM ADMITTED MATTERS OF FACT AND GENUINENESS OF DOCUMENTS, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS  
LISA MADIGAN,  
Attorney General of the  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY: s/Amanda Kimmel  
AMANDA KIMMEL  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
217/557-5767

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>PEOPLE OF THE STATE OF ILLINOIS,</b>	)	
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<b>Complainant,</b>	)	
	)	
<b>v.</b>	)	<b>PCB No. 10-86</b>
	)	<b>(Water-Enforcement)</b>
<b>ILLINOIS FUEL COMPANY, LLC,</b>	)	
<b>a Kentucky limited liability company,</b>	)	
	)	
<b>Respondent.</b>	)	

**MOTION TO DEEM ADMITTED MATTERS OF FACT AND GENUINENESS OF DOCUMENTS**

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, pursuant to Section 101.618 of the Board's Procedural Rules, 35 Ill. Adm. Code 101.618, hereby moves for the entry of an order deeming admitted against Respondent, ILLINOIS FUEL COMPANY, LLC, ("Illinois Fuel"), all matters of fact and genuineness of documents set forth in Complainant's Request for Admission of Facts and Genuineness of Documents. Pursuant to Section 101.502(a) of the Board's Procedural Rules, 35 Ill. Adm. Code 101.502(a), this motion is directed to the Hearing Officer.

**I. Applicable Legal Standard**

1. Section 101.618(f) of the Board's Procedural Rules, 35 Ill. Adm. Code 101.618(f) provides as follows:

- f) Admission in the Absence of Denial. Each of the matters of fact and the genuineness of each document of which admission is requested is admitted unless, within 28 days after service thereof, the party to whom the request is directed serves upon the party requesting the admission either a sworn statement denying specifically the matters of which admission is requested or setting forth in detail the reasons why the party cannot truthfully admit or deny those matters, or written objections on the ground that some or all of the requested admissions are privileged or irrelevant or that the request is otherwise improper in whole or in part. If written objections to a part of the request are made, the remainder of the request must be

answered within the period designated in the request. A denial must fairly address the substance of the requested admission.

2. Section 101.300 of the Board's Procedural Rules, 35 Ill. Adm. Code

101.300, provides, in pertinent part, as follows:

- a) Computation of Time. Computation of any period of time prescribed in the Act, other applicable law, or these rules will begin with the first calendar day following the day on which the act, event or development occurs and will run until the close of business on the last day, or the next business day if the last day is a Saturday, Sunday or national or State legal holiday.  
\* \* \*
- c) Time of Service . . . In the case of service by U.S. Mail, service is presumed complete four days after mailing. The presumption can be rebutted by proper proof.  
\* \* \*

## **II. Grounds for Deeming Admitted Matters of Fact and Genuineness of Documents**

1. On April 22, 2010, the People filed their Complaint against the Respondent. The People's Complaint alleges violations of Sections 12 (a) and 12(f) of the Act, 415 ILCS 5/12(a) and (f). On April 10, 2013, the People filed their Motion for Leave to File an Amended Complaint. On May 16, 2013, the Board accepted the amended complaint for hearing.

2. On June 16, 2014, the People served Respondent with their Request For Admission of Facts and Genuineness of Documents attached hereto as "Exhibit 1."

3. On June 27, 2014, the People received certification that Respondent's registered agent, CT Corporation located at 208 S LaSalle Street, Suite 814, Chicago, Illinois 60604, had been served with the Request For Admission of Facts and Genuineness of Documents, attached hereto as "Exhibit 2."

4. The Respondent has failed to respond to the Request For Admission of Facts and Genuineness of Documents.

5. By failing to serve upon the Complainant a sworn statement denying the matters of fact and genuineness of documents set forth in the Request For Admission of Facts and Genuineness of Documents, Respondent has admitted each of the matters of fact and the genuineness of each of the documents attached thereto.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests the Hearing Officer enter an order:

A. Finding the Respondent has admitted each of the matters of fact and the genuineness of each of the documents set forth in the Request For Admission of Facts and Genuineness of Documents pursuant to Section 101.618 of the Board's Procedural Rules, 35 Ill. Adm. Code 101.618; and

B. Ordering such other and further relief as is appropriate under the circumstances.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,  
LISA MADIGAN,  
Attorney General  
of the State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY: s/Amanda S. Kimmel  
AMANDA S. KIMMEL  
Assistant Attorney General  
Environmental Bureau

Attorney Reg. No. 6303715  
500 South Second Street  
Springfield, Illinois 62706  
(217) 557-5767  
Dated: July 29, 2014

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>PEOPLE OF THE STATE OF ILLINOIS,</b>	)	
	)	
<b>Complainant,</b>	)	
	)	
<b>v.</b>	)	<b>PCB No. 10-86</b>
	)	<b>(Water-Enforcement)</b>
<b>ILLINOIS FUEL COMPANY, LLC,</b>	)	
<b>a Kentucky limited liability company,</b>	)	
	)	
<b>Respondent.</b>	)	

**NOTICE OF SERVICE OF DISCOVERY DOCUMENT**

To:	John T. Therriault, Assistant Clerk Clerk of the Board Illinois Pollution Control Board 100 West Randolph Street Suite 11-500 Chicago, IL 60601	Carol Webb Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East Springfield, IL 62794
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PLEASE TAKE NOTICE that I have on June 16, 2014, served on the Respondent, ILLINOIS FUEL COMPANY, LLC, the following discovery document in the above-referenced matter:

**REQUEST FOR ADMISSION OF FACT AND GENUINENESS OF DOCUMENTS**

Respectfully submitted,  
PEOPLE OF THE STATE OF ILLINOIS  
LISA MADIGAN  
Attorney General of the  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY: s/Amanda Kimmel  
Amanda Kimmel  
Assistant Attorney General  
Environmental Bureau

500 South Second Street  
Springfield, Illinois 62706  
(217)782-9031

**CERTIFICATE OF SERVICE**

I hereby certify that I did on June 16, 2014, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled NOTICE OF SERVICE OF DISCOVERY DOCUMENT and REQUEST FOR ADMISSION OF FACT AND GENUINENESS OF DOCUMENTS:

To: Illinois Fuel Company Stephen Addington, Manager 1500 North Big Run Road Ashland, KY 41102	CT Corporation Systems Registered Agent for Illinois Fuel 208 S. LaSalle St., Ste. 814 Chicago, IL 60604
Jader Coal Company 920 Gape Hollow Road P.O. Box 40 Herod, IL 62947	

the NOTICE OF SERVICE OF DISCOVERY DOCUMENT was electronically filed with:

John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
Suite 11-500  
100 West Randolph  
Chicago, IL 60601

A copy was also sent by First Class Mail with postage thereon fully prepaid:

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

s/Amanda Kimmel  
Amanda Kimmel  
Assistant Attorney General

This filing is submitted on recycled paper.

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>PEOPLE OF THE STATE OF ILLINOIS,</b>	)	
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<b>Complainant,</b>	)	
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<b>v.</b>	)	<b>PCB No. 10-86</b>
	)	<b>(Water-Enforcement)</b>
<b>ILLINOIS FUEL COMPANY, LLC,</b>	)	
<b>a Kentucky limited liability company,</b>	)	
	)	
<b>Respondent.</b>	)	

**COMPLAINANT'S REQUEST FOR ADMISSION OF FACTS AND GENUINENESS OF DOCUMENTS**

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, pursuant to Section 101.618 of the Illinois Pollution Control Board's Procedural Rules, 35 Ill. Adm. Code 101.168 (2012), hereby serves upon Respondent, ILLINOIS FUEL COMPANY, LLC, ("Illinois Fuel"), this Request for Admission of Facts and Genuineness of Documents.

Failure to respond to the following requests to admit within 28 days may have severe consequences. Failure to respond to the following requests will result in all the facts requested being deemed admitted as true for this proceeding. If you have any questions about this procedure, you should contact the hearing officer assigned to this proceeding or an attorney.

**REQUEST FOR ADMISSION OF FACTS**

1. Illinois Fuel is a Kentucky Limited Liability Company authorized to do business in Illinois.
2. Illinois Fuel owns and operates a coal mine commonly known as the I-1 Mine located 5 miles northeast of Herod, and within the Shawnee National Forest, in Saline County, Illinois, herein referred to as the Saline County mine.

3. On July 24, 1996 the Illinois Environmental Protection Agency ("Illinois EPA") issued a National Pollutant Discharge Elimination System ("NPDES") Permit No. IL0064611 to Jader Fuel Company, Inc., which authorized discharges at various outfalls from the Saline County mine into waters of the State.

4. In November 1998, Jader Fuel Company, Inc., requested the transfer of NPDES Permit No. IL0064611 to Jader Coal Company, LLC.

5. On January 13, 1999, the Illinois EPA issued a final modified NPDES Permit No. IL0064611 to Jader Coal Company, LLC, as the permittee, and Jader Fuel Company, Inc., as the named facility.

6. On October 30, 2000, Jader Coal Company, LLC submitted to the Illinois EPA a timely renewal application for NPDES Permit No. IL0064611.

7. On July 25, 2001, Jader Coal Company, LLC, requested the transfer of NPDES Permit No. IL0064611 to Illinois Fuel.

8. NPDES permit IL0064611 authorizes outfall 021 which is currently classified as acid mine drainage.

9. NPDES permit IL0064611 authorizes outfall 022 which is currently classified as acid mine drainage.

10. NPDES permit IL0064611 authorizes outfall 023 which is currently classified as acid mine drainage.

11. NPDES permit IL0064611 authorizes outfall 024 which is currently classified as acid mine drainage.

12. NPDES permit IL0064611 authorizes outfall 025 which is currently classified as acid mine drainage.

13. NPDES permit IL0064611 authorizes outfall 026 which is currently classified as acid mine drainage.

14. NPDES permit IL0064611 authorizes outfall 027 which is currently classified as acid mine drainage.

15. NPDES permit IL0064611 authorizes outfall 028 which is currently classified as acid mine drainage.

16. NPDES permit IL0064611 authorizes outfall 030 which is currently classified as acid mine drainage.

17. NPDES permit IL0064611 authorizes outfall 034 which is currently classified as acid mine drainage.

18. NPDES permit IL0064611 authorizes outfall 035 which is currently classified as acid mine drainage.

19. NPDES permit IL0064611 authorizes outfall 036 which is currently classified as acid mine drainage.

20. NPDES permit IL0064611 authorizes outfall 037 which is currently classified as acid mine drainage.

21. NPDES permit IL0064611 authorizes outfall 048 which is currently classified as acid mine drainage.

22. NPDES permit IL0064611 authorizes outfall 051 which is currently classified as acid mine drainage.

23. NPDES permit IL0064611 authorizes outfall 052 which is currently classified as acid mine drainage.

24. NPDES permit IL0064611 authorizes outfall 054 which is currently classified as

acid mine drainage.

25. At outfalls classified as acid mine drainage, NPDES permit IL0064611 imposes effluent limitations for iron including a monthly average effluent limit of 3.0 mg/L and a daily maximum effluent limit of 6.0 mg/L.

26. At outfalls classified as acid mine drainage, NPDES permit IL0064611 imposes effluent limitations for manganese including a monthly average effluent limit of 2.0 mg/L and a daily maximum effluent limit of 4.0 mg/L.

27. At outfalls classified as acid mine drainage, NPDES permit IL0064611 imposes an effluent limitation for sulfate including a daily maximum effluent limit of 3500 mg/L.

28. At outfalls classified as acid mine drainage, NPDES permit IL0064611 imposes effluent limitations for TSS including a monthly average effluent limit of 35.0 mg/L and a daily maximum effluent limit of 70.0 mg/L.

29. At outfalls classified as acid mine drainage, NPDES permit IL0064611 imposes effluent limitations for pH including a range of 6.0 to 9.0 standard units.

30. Illinois Fuel has monitored discharges at the Saline County mine and reported grab samples to the Illinois EPA based on NPDES permit IL0064611.

31. Between February 2004 and December 2009, Illinois Fuel reported to the Illinois EPA in its Discharge Monitoring Reports ("DMRs") the discharge of iron from the Saline County mine in excess of 3.0 mg/L, the acid mine drainage monthly average effluent limit, on 36 occasions.

32. Between February 2004 and December 2009, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of iron from the Saline County mine in excess of 6.0 mg/L, the acid mine drainage daily maximum effluent limit, on 1 occasion.

33. Between February 2004 and December 2009, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of manganese from the Saline County mine in excess of 2.0 mg/L, the acid mine drainage monthly average effluent limit, on 115 occasions.

34. Between February 2004 and December 2009, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of manganese from the Saline County mine in excess of 4.0 mg/L, the acid mine drainage daily maximum effluent limit, on 33 occasions.

35. Between February 2004 and December 2009, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of sulfates from the Saline County mine in excess of 3500 mg/L, the acid mine drainage daily maximum effluent limit, on 17 occasions.

36. Between February 2004 and December 2009, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of TSS from the Saline County mine in excess of 35.0 mg/L, the acid mine drainage monthly average effluent limit, on 135 occasions.

37. Between February 2004 and December 2009, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of TSS from the Saline County mine in excess of 70.0 mg/L, the acid mine drainage daily maximum effluent limit, on 36 occasions.

38. Between February 2004 and December 2009, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of pH from the Saline County mine outside of the effluent limit range of 6.0 to 9.0 standard units on 13 occasions.

39. Between January 2010 and October 2012, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of iron in excess of 3.0 mg/L, the acid mine drainage monthly average effluent limit, on 5 occasions.

40. Between January 2010 and October 2012, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of manganese from the Saline County mine in excess of 2.0

mg/L, the acid mine drainage monthly average effluent limit, on 43 occasions.

41. Between January 2010 and October 2012, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of manganese from the Saline County mine in excess of 4.0 mg/L, the acid mine drainage daily maximum effluent limit, on 7 occasions.

42. Between January 2010 and October 2012, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of sulfates from the Saline County mine in excess of 3500 mg/L, the acid mine drainage daily maximum effluent limit, on 13 occasions.

43. Between January 2010 and October 2012, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of TSS from the Saline County mine in excess of 35.0 mg/L, the acid mine drainage monthly average effluent limit, on 25 occasions.

44. Between January 2010 and October 2012, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of TSS from the Saline County mine in excess of 70.0 mg/L, the acid mine drainage daily maximum effluent limit, on 5 occasions.

45. Between January 2010 and October 2012, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of pH from the Saline County mine outside of the effluent limit range of 6.0 to 9.0 standard units on 2 occasions.

46. Between August 2013 and January 2014 Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of iron in excess of 3.0 mg/L, the acid mine drainage monthly average effluent limit, on 1 occasion.

47. Between August 2013 and January 2014, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of manganese from the Saline County mine in excess of 2.0 mg/L, the acid mine drainage monthly average effluent limit, on 5 occasions.

48. Between August 2013 and January 2014, Illinois Fuel reported to the Illinois EPA

in its DMRs the discharge of manganese from the Saline County mine in excess of 4.0 mg/L, the acid mine drainage daily maximum effluent limit, on 6 occasions.

49. Between August 2013 and January 2014, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of TSS from the Saline County mine in excess of 35.0 mg/L, the acid mine drainage monthly average effluent limit, on 5 occasions.

50. Between August 2013 and January 2014, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of TSS from the Saline County mine in excess of 70.0 mg/L, the acid mine drainage daily maximum effluent limit, on 3 occasions.

51. Between August 2013 and January 2014, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of pH from the Saline County mine outside of the effluent limit range of 6.0 to 9.0 standard units on 5 occasions.

52. Illinois Fuel operates a coal mine commonly known as Mine # 4, located 5 miles southwest of Junction, Gallatin County, Illinois, herein referred to as the Gallatin County mine.

53. On May 12, 1999 the Illinois EPA issued a NPDES Permit No. IL0061166 to Jader Fuel Company, Inc., which authorized discharges at various outfalls from the Gallatin County mine into waters of the State. Permit No. IL0061166 named Jader Fuel Company, Inc., as both the permittee and the facility.

54. On March 1, 2000, Jader Fuel Company, Inc., requested the transfer of NPDES Permit No. IL0061166 to Jader Coal Company, LLC.

55. On February 28, 2003, Jader Coal Company, LLC, was involuntarily dissolved by the Illinois Secretary of State.

56. On August 6, 2003, Illinois Fuel submitted a renewal application for NPDES Permit No. IL0061166 to the Illinois EPA on behalf of the dissolved Jader Coal Company, LLC,

as the permittee.

57. NPDES Permit No. IL0061166 permit expired on the date of March 31, 2004.

58. On a date or dates better known to Respondent, Illinois Fuel has performed reclamation work at the Gallatin County mine.

59. Illinois Fuel has not submitted an NPDES permit application to the Illinois EPA for its reclamation activities at the Gallatin County Mine.

60. Illinois Fuel has operated the Gallatin County mine without the required NPDES permit since March 31, 2004.

61. NPDES Permit No. IL0061166 previously authorized outfall 008 which was classified as alkaline mine drainage.

62. NPDES Permit No. IL0061166 previously authorized outfall 009 which was classified as alkaline mine drainage.

63. NPDES Permit No. IL0061166 previously authorized outfall 012 which was classified as alkaline mine drainage.

64. NPDES Permit No. IL0061166 previously authorized outfall 016 which was classified as alkaline mine drainage.

65. NPDES Permit No. IL0061166 previously authorized outfall 017 which was classified as alkaline mine drainage.

66. NPDES Permit No. IL0061166 previously authorized outfall 018 which was classified as alkaline mine drainage.

67. NPDES Permit No. IL0061166 previously authorized outfall 019 which was classified as alkaline mine drainage.

68. NPDES Permit No. IL0061166 previously authorized outfall 020 which was

classified as alkaline mine drainage.

69. NPDES Permit No. IL0061166 previously authorized outfall 040 which was classified as alkaline mine drainage.

70. NPDES Permit No. IL0061166 previously authorized outfall 043 which was classified as alkaline mine drainage.

71. NPDES Permit No. IL0061166 previously authorized outfall 044 which was classified as alkaline mine drainage.

72. At outfalls classified as alkaline mine drainage, expired NPDES permit IL0061166 imposed effluent limitations for iron including a monthly average effluent limit of 3.0 mg/L and a daily maximum effluent limit of 6.0 mg/L.

73. At outfalls classified as alkaline mine drainage, expired NPDES permit IL0061166 imposed effluent limitations for TSS including a monthly average effluent limit of 35.0 mg/L and a daily maximum effluent limit of 70.0 mg/L.

74. Since 2004, on a date or dates better known to Respondent, Illinois Fuel has monitored discharges at the Gallatin County mine and reported grab samples to the Illinois EPA in the form of DMRs based on the expired NPDES Permit No. IL0061166.

75. Between February 2004 and December 2009, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of iron from the Gallatin County mine in excess of 3.0 mg/L, the alkaline mine drainage monthly average effluent limit, on 6 occasions.

76. Between February 2004 and December 2009, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of iron from the Gallatin County mine in excess of 6.0 mg/L, the alkaline mine drainage daily maximum effluent limit, on 1 occasion.

77. Between February 2004 and December 2009, Illinois Fuel reported to the Illinois

EPA in its DMRs the discharge of TSS from the Gallatin County mine in excess of 35.0 mg/L, the alkaline mine drainage monthly average effluent limit, on 73 occasions.

78. Between February 2004 and December 2009, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of TSS from the Gallatin County mine in excess of 70.0 mg/L, the alkaline mine drainage daily maximum effluent limit, on 15 occasions.

79. Between January 2010 and December 2011, Illinois Fuel reported to the Illinois EPA in its DMRs the discharge of TSS from the Gallatin County mine in excess of 35.0 mg/L, the alkaline mine drainage monthly average effluent limit, on 14 occasions.

80. Illinois Fuel has not submitted to the Illinois EPA its DMRs from the Gallatin County mine since the fourth quarter of 2012.

#### REQUEST FOR ADMISSION OF GENUINENESS OF DOCUMENTS

1. Exhibit A is a genuine copy of NPDES Permit No. IL0064611 issued to Jader Coal Company, LLC, as the permittee, and Jader Fuel Company, Inc., as the named facility, on January 13, 1999.

2. Exhibit B is a genuine copy of a Permit Renewal Application for NPDES Permit No. IL0064611 submitted by Jader Coal Company, LLC, to the Illinois EPA on October 30, 2000.

3. Exhibit C is a genuine copy of a letter with attachments from Illinois Fuel to Illinois EPA requesting a transfer of NPDES Permit No. IL0064611 from Jader Coal Company, LLC, on July 25, 2001.

4. Exhibit D is a genuine copy of NPDES Permit No. IL0061166 issued to Jader Fuel Company, Inc., as the permittee and the facility, on May 12, 1999.

5. Exhibit E is a genuine copy of a letter and attachments from Jader Coal Company, LLC, to Illinois EPA requesting a transfer of NPDES Permit No. IL0061166 from Jader Fuel Company, Inc., on March 1, 2000.

6. Exhibit F is a genuine copy of the Secretary of State LLC File Detail Report for Jader Coal Company, LLC.

7. Exhibit G is a genuine copy of Permit Renewal Application for NPDES Permit No. IL0061166 which was submitted by Illinois Fuel Company, LLC, to Illinois EPA on behalf of the dissolved Jader Coal Company, LLC, on August 6, 2003.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,  
*ex rel.* LISA MADIGAN,

Attorney General of the  
State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement/Asbestos  
Litigation Division

BY: 

AMANDA S. KIMMEL  
Assistant Attorney General  
Environmental Bureau

Attorney Reg. No. 6303715  
500 South Second Street  
Springfield, Illinois 62706  
(217) 557-5767  
Dated:



State of Illinois

# ENVIRONMENTAL PROTECTION AGENCY

Electronic Filing -  
Received, Clerk's Office :  
11/18/2014

Jerry A. Gade, Director

2309 West Main, Marion, IL 62959

January 13, 1999

618/993-7200

Jader Coal Company, L.L.C.  
P.O. Box 730  
Shawneetown, IL 62984

Re: Jader Coal Company, L.L.C.  
Mine No. 4 (Eagle Valley Field)  
NPDES Permit No. IL0064611  
Final Modified Permit

Gentlemen:

Attached is the final modified NPDES Permit for your discharge. The modified Permit as issued covers discharge limitations, monitoring, and reporting requirements. The failure of you to meet any portion of the modified Permit could result in civil and/or criminal penalties. The Illinois Environmental Protection Agency is ready and willing to assist you in interpreting any of the conditions of the modified Permit as they relate specifically to your discharge.

The modified Permit as issued is effective as of the date indicated on the first page of the modified Permit. You have the right to appeal any condition of the modified Permit to the Illinois Pollution Control Board within a 35 day period following the issuance date.

Should you have questions concerning the modified Permit, please contact Bob Kerr, P.E., at 217/786-6892.

Respectfully,

ENVIRONMENTAL PROTECTION AGENCY

*Ronald E. Morse*  
Ronald E. Morse, Manager  
Mine Pollution Control Program  
Bureau of Water

**RECEIVED**

JAN 15 1999

IL Environmental Protection Agency  
MARION REGIONAL OFFICE

REM:LDC:BK:jkb/1039c/10-14-98

Enclosure: Final Permit

cc: IDNR/Office of Mines and Minerals/Land Reclamation/with Enclosure  
IDNR/Division of Water Resources/with Enclosure  
Marion Region/Mine Pollution Control Program/with Enclosure  
BOW/DWPC/CAS  
BOW/DWPC/Records

NPDES Permit No. IL0064611

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue, East

P.O. Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Modified NPDES Permit

Expiration Date: April 30, 2001

Issue Date: July 24, 1996

Effective Date: August 1, 1996

Modification Date: January 13, 1999

Name and Address of Permittee:

Jader Coal Company, L.L.C.  
P.O. Box 730  
Shawneetown, IL 62984

Facility Name and Address:

Jader Fuel Company  
Mine No. 4 (Eagle Valley Field)  
920 Gape Hollow Road  
Herod, IL 62947  
5 miles northeast of Herod, Illinois  
(Saline County)

Discharge Number and Name:

003, 022, 023, 024, 025, 048  
Non-controlled Acid Mine Drainage (Surface Mine)

021 Discharge from Preparation Plant Area  
Acid Mine Drainage

026, 027, 028, 029, 030, 031  
Non-controlled Acid Mine Drainage (Surface Mine)

032, 033, 034, 035, 036, 037, 038  
Non-controlled Acid Mine Drainage (Surface Mine)

049  
Non-controlled Acid Mine Drainage (Surface Mine)

050, 051, 052, 053, 054  
Non-controlled Acid Mine Drainage (Surface Mine)

Receiving waters

Eagle Creek

Eagle Creek

Rose Creek

Unnamed tributary to Pruet Branch

Unnamed tributary to Little Eagle Creek

Unnamed tributaries to Eagle Creek

In compliance with the provisions of the Illinois Environmental Protection Act, Subtitle C and/or Subtitle D Rules and Regulations of the Illinois Pollution Control Board, and the Clean Water Act, the above-named permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the standard conditions and attachments herein.

Permittee is not authorized to discharge after the above expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit the proper application as required by the Illinois Environmental Protection Agency (IEPA) not later than 180 days prior to the expiration date.



Ronald E. Morse, Manager  
Mine Pollution Control Program  
Bureau of Water

REM: LDC:jkb/1040c/10-14-98

NPDES Coal Mine Permit  
 NPDES Permit No. IL0064611  
 Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		

From the effective date of this Permit until April 30, 2001 the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfall: 003 (Acid Mine Drainage)

Flow (MGD)			Measure When Monitoring	
Total Suspended Solids	35.0	70.0	***	Grab
Iron (total)	3.5	7.0	***	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0		3/month	Grab
Alkalinity/ Acidity	Total acidity shall not exceed total alkalinity		1/month	Grab
Sulfates		3500	**	Grab
Chlorides		1000	**	Grab
Manganese (total)	2.0	4.0	***	Grab

\*\*Sample frequency shall be once a month until twelve samples have been collected; after which and upon written notification to the Agency, the sampling may cease, unless the Agency modifies the permit to require continued sampling at some frequency.

\*\*\*There shall be a minimum of nine (9) samples collected during the quarter when the pond is discharging. Of these 9 samples, a minimum of one sample each month shall be taken during base flow conditions. A "no flow" situation is not considered to be a sample of the discharge. A grab sample of each discharge caused by the following precipitation event(s) shall be taken for the following parameters during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s). The remaining three (3) samples may be taken from either base flow or during precipitation event.

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 2-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
Iron (total)	7.0 mg/l daily maximum
Settleable Solids	0.5 ml/l daily maximum
pH	6.0 - 9.0 at all times

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 2-year, 24-hour precipitation event, but less than or equal to the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
Settleable Solids	0.5 ml/l daily maximum
pH	6.0 - 9.0 at all times

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
pH	6.0 - 9.0 at all times

NPDES Coal Mine Permit

NPDES Permit No. IL0064611

Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS		CONCENTRATION		SAMPLE FREQUENCY	SAMPLE TYPE
	lbs/day		LIMITS mg/l			
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		

From the effective date of this Permit until April 30, 2001 the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfall: 021 (Acid Mine Drainage)

Flow (MGD)			Measure When Monitoring	
Total Suspended Solids		35.0      70.0	***	Grab
Iron (total)		3.0      6.0	***	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0		3/month	Grab
Alkalinity/ Acidity	Total acidity shall not exceed total alkalinity		1/month	Grab
Manganese (total)		2.0      4.0	***	Grab

\*\*\*There shall be a minimum of nine (9) samples collected during the quarter when the pond is discharging. Of these 9 samples, a minimum of one sample each month shall be taken during base flow conditions. A "no flow" situation is not considered to be a sample of the discharge. A grab sample of each discharge caused by the following precipitation event(s) shall be taken for the following parameters during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s). The remaining three (3) samples may be taken from either base flow or during precipitation event.

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24-hour precipitation event (or snowmelt or equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
Settleable Solids	0.5 ml/l daily maximum
pH	6.0 - 9.0 at all times

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt or equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
pH	6.0 - 9.0 at all times

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PARAMETER	LOAD LIMITS		CONCENTRATION		SAMPLE FREQUENCY	SAMPLE TYPE
	lbs/day		LIMITS mg/l			
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		

From the effective date of this Permit until April 30, 2001 the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfalls: 022, 028 (Acid Mine Drainage)

PARAMETER	LOAD LIMITS (lbs/day)	CONCENTRATION LIMITS (mg/l)	SAMPLE FREQUENCY	SAMPLE TYPE
Flow (MGD)			Measure When Monitoring	
Total Suspended Solids		35.0 / 70.0	***	Grab
Iron(total)		3.0 / 6.0	***	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0		3/month	Grab
Alkalinity/ Acidity	Total acidity shall not exceed total alkalinity		1/month	Grab
Manganese (total)		2.0 / 4.0	***	Grab

\*\*\*There shall be a minimum of nine (9) samples collected during the quarter when the pond is discharging. Of these 9 samples, a minimum of one sample each month shall be taken during base flow conditions. A "no flow" situation is not considered to be a sample of the discharge. A grab sample of each discharge caused by the following precipitation event(s) shall be taken for the following parameters during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s). The remaining three (3) samples may be taken from either base flow or during precipitation event.

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 2-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
Iron (total)	7.0 mg/l daily maximum
Settleable Solids	0.5 ml/l daily maximum
pH	6.0 - 9.0 at all times

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 2-year, 24-hour precipitation event, but less than or equal to the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
Settleable Solids	0.5 ml/l daily maximum
pH	6.0 - 9.0 at all times

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
pH	6.0 - 9.0 at all times

NPDES Coal Mine Permit  
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 Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS		CONCENTRATION		SAMPLE FREQUENCY	SAMPLE TYPE
	lbs/day		LIMITS mg/l			
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		

From the effective date of this Permit until April 30, 2001 the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfalls: 023, 024, 025, 026, 027, 029, (Acid Mine Drainage)  
 030, 031, 032, 033, 034, 035, 036, 037,  
 038, 048, 049, 050, 051, 052, 053, 054

Flow (MGD)		Measure When Monitoring	
Total Suspended Solids	35.0	70.0	*** Grab
Iron (total)	3.0	6.0	*** Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0		3/month Grab
Alkalinity/ Acidity	Total acidity shall not exceed total alkalinity		1/month Grab
Sulfates		3500	** Grab
Chlorides		1000	** Grab
Manganese (total)	2.0	4.0	*** Grab

\*\*Sample frequency shall be once a month until twelve samples have been collected; after which and upon written notification to the Agency, the sampling may cease, unless the Agency modifies the permit to require continued sampling at some frequency.

\*\*\*There shall be a minimum of nine (9) samples collected during the quarter when the pond is discharging. Of these 9 samples, a minimum of one sample each month shall be taken during base flow conditions. A "no flow" situation is not considered to be a sample of the discharge. A grab sample of each discharge caused by the following precipitation event(s) shall be taken for the following parameters during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s). The remaining three (3) samples may be taken from either base flow or during precipitation event.

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 2-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
Iron (total)	7.0 mg/l daily maximum
Settleable Solids	0.5 ml/l daily maximum
pH	6.0 - 9.0 at all times

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 2-year, 24-hour precipitation event, but less than or equal to the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
Settleable Solids	0.5 ml/l daily maximum
pH	6.0 - 9.0 at all times

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
pH	6.0 - 9.0 at all times

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 Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		

Upon completion of Special Condition 8 and approval from the Agency, the effluent of the following discharges shall be monitored and limited at all times as follows:

Outfalls: 021, 022, 028 (Reclamation Area Drainage)

PARAMETER	LOAD LIMITS lbs/day	CONCENTRATION LIMITS mg/l	SAMPLE FREQUENCY	SAMPLE TYPE
Flow (MGD)			Measure When Monitoring	
Settleable Solids		0.5 ml/l	1/month	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0		1/month	Grab

In addition to the above base flow sampling requirements, a grab sample of each discharge caused by the following precipitation event(s) shall be taken (for the following parameters) during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s).

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
pH	6.0 - 9.0 at all times

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PARAMETER	LOAD LIMITS		CONCENTRATION		SAMPLE FREQUENCY	SAMPLE TYPE
	lbs/day		LIMITS mg/l			
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		

Upon completion of Special Condition 8 and approval from the Agency, the effluent of the following discharges shall be monitored and limited at all times as follows:

Outfalls: 003, 023, 024, 025, 026, 027, 029, 030 (Reclamation Area Drainage)  
 031, 032, 033, 034, 035, 036, 037, 038,  
 048, 049, 050, 051, 052, 053, 054

Flow (MGD)		Measure When Monitoring	
Settleable Solids		0.5 ml/l	1/month Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0		1/month Grab
Sulfates		3500	** Grab
Chlorides		1000	** Grab

\*\*Unless previously approved by the Agency to be reduced or ceased, sample frequency shall be once a month until twelve samples have been collected; after which and upon written notification to the Agency, the sampling may cease, unless the Agency modifies the permit to require continued sampling at some frequency.

In addition to the above base flow sampling requirements, a grab sample of each discharge caused by the following precipitation event(s) shall be taken (for the following parameters) during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s).

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
pH	6.0 - 9.0 at all times

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Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Settleable Solids				0.5 ml/l.	1/Year	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0				1/Year	Grab

Upon completion of Special Condition 9 and approval from the Agency, the effluent of the following discharges shall be monitored and limited at all times as follows:

Outfalls: 003, 021, 022, 023, 024, 025, 026, 027, (Stormwater Discharge)  
 028, 029, 030, 031, 032, 033, 034, 035, 036  
 037, 038, 048, 049, 050, 051, 052, 053, 054

Stormwater discharge monitoring is subject to the following reporting requirements:

Analysis of samples must be submitted with second quarter Discharge Monitoring Reports.

If discharges can be shown to be similar, a plan may be submitted by November 1 of each year preceding sampling to propose grouping of similar discharges and/or updated previously submitted groupings. If updating of a previously submitted plan is not necessary, a written notification to the Agency, indicating such is required. Upon approval from the Agency, one representative sample for each group may be submitted.

Annual stormwater monitoring is required for all discharges until final bond is released and approval to cease such monitoring is obtained from the Agency.

NPDES Permit No. IL0064611

Construction Authorization No. 8082-90

C.A. Date: May 20, 1996

Engineer: Frank Conci, P.E.

Authorization is hereby granted to the above designee to construct and operate the mine and mine refuse area described as follows:

A surface coal mine with preparation plant, fine coal refuse disposal area, coal stockpiles, soil stockpiles, holding pond, fresh water pond, haul roads, and drainage control system, located in Sections 2, 4, 11, 14, 22, 23, 24, 26, 27, T10S, R7E, Saline County, containing 1925.1 acres. The area is also identified as OMM Permit Area No. 243.

Surface drainage will be controlled by diversions, a sump, and 20 ponds. Ponds and Discharges 001, 002, 003 and 004 were previously developed. All Discharges will be classified as non-controlled surface mine acid drainage. Pond 021 also receives drainage from the preparation plant. Pit pumpage may report to any of the Ponds. Ponds 002, 003, 021, 022, 023, 024, and 025 will report to Eagle Creek. Ponds 026, 027, 028, 029, 030, and 031 will report to Rose Creek, tributary to Eagle Creek. Ponds 032, 033, 034, 035, 036, 037, and 038 will report to unnamed tributaries of Pruet Branch, tributary to Eagle Creek.

Pond 001 was enlarged with the Outfall redesignated as 021. Pond 004 has become a cell of a multi-cell pond with the Outfall designated as 028. As proposed, ponds with discharges designated as Outfalls 002 and 003 will be mined through.

The construction and operation of the preparation plant as proposed in Log No. 3283-95 is approved. Coarse refuse will be hauled back to the active pit. Fine refuse may be placed in an existing final cut and the active pit, subject to Condition No. 13.

Permanent Ditch No. 17 and Permanent Road No. 8 may be constructed as proposed in Log No. 2110-96.

Pursuant to 35 Ill. Adm. Code 406.203 the water quality standards of 35 Ill. Adm. Code 406.202 as they apply to sulfates, chlorides, total dissolved solids, iron and manganese shall not apply to discharges covered under this permit subject to Condition 12.

The abandonment plan contained in IEPA Log Nos. 8201-90(+B) and 2088-96 shall be executed and completed in accordance with 35 Ill. Adm. Code 405.109. All water remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.106 and 406.202.

This permit is transferred from Garden Valley Resources, Inc. to Jader Fuel Company, Inc.

This authorization replaces previous Construction Authorization No. 4057-84 and all previous approvals for Garden Valley Resources, Eagle Valley Mine and J.J. Track Co., Inc. Brown Brothers Mine No. 3.

This Authorization is issued subject to the following Condition(s). If such Condition(s) require(s) additional or revised facilities, satisfactory engineering plan documents must be submitted to this Agency for review and approval to secure issuance of a Supplemental Authorization to Construct.

1. If any statement or representation is found to be incorrect, this permit may be revoked and the permittee thereupon waives all rights thereunder.
2. The issuance of this permit (a) shall not be considered as in any manner affecting the title of the premises upon which the mine or mine refuse area is to be located; (b) does not release the permittee from any liability for damage to person or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (c) does not take into consideration the structural stability of any units or parts of the project; and (d) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or with applicable local laws, regulations or ordinances.
3. Final plans, specifications, application and supporting documents as submitted by the person indicated on Page 1 as approved shall constitute part of this permit and are identified by Log Nos. 8082-90(+A, +B), 3155-95, 3240-95, 3283-95, 2088-96 and 2110-96 in the records of the Illinois Environmental Protection Agency.
4. This permit may not be assigned or transferred. Any subsequent operator shall obtain a new permit from the Illinois Environmental Protection Agency.
5. There shall be no deviations from the approved plans and specifications unless revised plans, specifications and application shall first have been submitted to the Illinois Environmental Protection Agency and a supplemental permit issued.
6. The permit holder shall notify the Environmental Protection Agency (217/782-3637) immediately of an emergency at the mine or mine refuse area which causes or threatens to cause a sudden discharge of contaminants into the waters of Illinois and shall

NPDES Permit No. IL0064611

Construction Authorization No. 8082-90

C.A. Date: May 20, 1996

immediately undertake necessary corrective measures as required by Title 35 Ill. Adm. Code 405.111. (217782-3637 for calls between the hours of 5:00 p.m. to 8:30 a.m. and on weekends.)

7. The termination of an NPDES discharge monitoring point or cessation of monitoring of an NPDES discharge is not authorized by this Agency until the permittee submits adequate justification to show what alternate treatment is provided or that untreated drainage will meet applicable effluent and water quality standards.
8. Initial construction activities in areas to be disturbed shall be for collection and treatment facilities only. Prior to the start of other activities, surface drainage controls shall be constructed and operated to avoid violations of the Act or Subtitle D. At such time as runoff water is collected in the sedimentation pond, a sample shall be collected and analyzed, with the results sent to this Agency to show compliance with the applicable effluent and water quality standards. Should additional treatment be necessary to meet these standards, a Supplemental Permit must be obtained. Discharge from this pond is not allowed unless applicable effluent and water quality standards are met.
9. This Agency must be informed in writing and an application submitted if drainage, which was previously classified as alkaline (pH greater than 6.0), becomes acid (pH less than 6.0) or ferruginous (base flow with an iron concentration greater than 10 mg/l). The type of drainage reporting to the basin should be reclassified in a manner consistent with the applicable rule of Title 35 Ill. Adm. Code 406 as amended in R84-29 at 11 Ill. Reg. 12899. The application should discuss the treatment method and demonstrate how the discharge will meet the applicable standards.
10. A permittee has the obligation to add a settling aid if necessary to meet the suspended solids or settleable solids effluent standards. The selection of a settling aid and the application practice shall be in accordance with a. or b. below.
  - a. Alum ( $Al_2(SO_4)_3$ ), hydrated lime ( $Ca(OH)_2$ ), soda ash ( $Na_2CO_3$ ), alkaline pit pumpage, acetylene production by-product (tested for impurities), and ground limestone are acceptable settling aids and are hereby permitted for alkaline mine drainage sedimentation ponds.
  - b. Any other settling aids such as commercial flocculents and coagulants are permitted only on prior approval from the Agency. To obtain approval a permittee must demonstrate in writing to the Agency that such use will not cause a violation of the toxic substances standard of Title 35 Ill. Adm. Code 302.210 or of the appropriate effluent and water quality standards of Title 35 Ill. Adm. Code parts 302, 304, and 406.
11. A general plan for the nature and disposition of all liquids used to drill boreholes shall be filed with this Agency prior to any such operation. This plan should be filed at such time that the operator becomes aware of the need to drill unless the plan of operation was contained in a previously approved application. After settling, recirculation water which meets the requirements of Title 35 Ill. Adm. Code 406.106 and 406.202, may be discharged. The use of additives in the recirculation water which require treatment other than settling to comply with the Act will require a revised permit.
12. Any of the following shall be a violation of the provisions required under Title 35 Ill. Adm. Code 406.203(c):
  - a. It is demonstrated that an adverse effect on the environment in and around the receiving stream has occurred or is likely to occur.
  - b. It is demonstrated that the discharge has adversely affected or is likely to adversely affect any public water supply.
  - c. The Agency determines the permittee is not utilizing good mining practices which are applicable in order to minimize the discharge of total dissolved solids, chloride, sulfate, iron and manganese. The following concentrations are presumed achievable according to information in the application, and demonstrate the utilization of good mining practices. The Agency may require additional information to determine compliance with Title 35 Ill. Adm. Code 406.204 when they are exceeded.

<u>Outfall</u>	<u>Chloride in mg/l</u>	<u>Sulfate in mg/l</u>	<u>Other</u>
002, 003	500	3500	
021, 022, 023, 024, 025 026, 027, 028, 029, 030 031, 032, 033, 034, 035 036, 037, 038	500	1000	

NPDES Permit No. IL0064611

Construction Authorization No. 8082-90

C.A. Date: May 20, 1996

13. Groundwater monitoring parameters for Wells MW-28 and MW-30 associated with the fine refuse disposal area shall consist of antimony, arsenic, barium, beryllium, boron, cadmium, chromium, cobalt, copper, cyanide, iron, lead, manganese, mercury, nickel, selenium, silver, thallium, phenol, zinc, chloride, fluoride, sulfate, pH, acidity, alkalinity, and TDS. Six samples shall be required within the first year of operation. The results of the sampling shall be submitted to the Agency within 90 days after the end of the calendar year of sampling. Routine monitoring requirements will be determined after review of sampling results. If a TCLP analysis is conducted on the fine refuse and the pollutant concentration is less than the Practical Quantification Limit (PQL), then those pollutants may be deleted from the required list upon approval from the Agency.

NPDES Permit No. IL0064611

Construction Authorization No. 8082-90-1

S.C.A. Date: February 3, 1998

Supplemental Authorization is hereby granted to the above designee to construct the mine and mine refuse area, which were previously approved under Supplemental Authorization No. 8082-90 dated May 20, 1996. These facilities have been revised as follows:

Application Log No. 2141-96 for a pole bam, two equipment storage areas, enlarged coal stockpiles and a topsoil stockpile are approved as proposed.

Application Log No. 2198-96 for the construction of Permanent Access Road No. 8 and Permanent Diversion No. 17 are approved as proposed.

Application Log No. 2294-96 for the construction of two rock dikes in the slurry impoundments is approved.

Application Log No. 2362-96 for the development of a parking area adjacent to the shop, relocation of 6-inch pump to preparation plant and relocation of 6-inch pump to fill water truck is approved.

Application Log No. 1041-97 for the installation of a 6-inch pump in Eagle Creek is approved with the condition that the stream bed not be affected by the pump. The pump shall be located as described in Log No. 0029-98.

Application Log No. 1123-97 for the redesign of Pond 024, elimination of Pond 002, elimination of proposed Pond 047, elimination of Permanent Diversion Nos. 13, 18, 19 and 20, elimination of culvert under a township road and construction of Temporary Diversion No. 4 is approved.

Application Log No. 1160-97 for the construction of an overhead power line, employee parking lot, powder and detonator magazines and the development of temporary Fresh Water Pond No. 2 is approved. Fresh Water Pond No. 2 and Sediment Pond No. 22 will utilize a common spillway, Discharge 022, as described in Log No. 0029-98.

Application Log No. 1257-97 for culvert designs for Haul Road No. 13 are approved as proposed.

Application Log No. 1418-97 for the construction of permanent Sediment Pond 048 and revision of temporary Diversion Nos. 8 and 9 are approved as proposed. Discharge 048 will be classified as non-controlled acid mine drainage and will report to Eagle Creek. Outfall 048 is subject to Condition 2.

Pursuant to Title 35 Ill. Adm. Code 406.203 the water quality standards of Title 35 Ill. Adm. Code 406.202 as they apply to sulfates, chlorides, total dissolved solids, iron and manganese shall not apply to Discharge 048 subject to Condition 1.

The abandonment plan shall be executed and completed in accordance with Title 35 Ill. Adm. Code 405.109.

All Conditions in the original Authorization to Construct are incorporated in this Supplemental Authorization unless specifically deleted or revised herein.

This Supplemental Authorization is issued subject to the following Conditions. If such Conditions require additional or revised facilities, appropriate engineering plan documents must be submitted to this Agency for review and approval to secure issuance of a Supplemental Authorization to Construct.

1. Any of the following shall be a violation of the provisions required under Title 35 Ill. Adm. Code 406.203(c):
  - A. It is demonstrated that an adverse effect on the environment in and around the receiving stream has occurred or is likely to occur.
  - B. It is demonstrated that the discharge has adversely affected or is likely to adversely affect any public water supply.
  - C. The Agency determines the permittee is not utilizing good mining practices which are applicable in order to minimize the discharge of total dissolved solids, chloride, sulfate, iron and manganese. The following concentrations are presumed achievable according to information in the application, and demonstrate the utilization of good mining practices. The Agency may require additional information to determine compliance with Title 35 Ill. Adm. Code 406.204 when they are exceeded.

<u>Outfall</u>	<u>Chloride in mg/l</u>	<u>Sulfate in mg/l</u>	<u>Other</u>
048	500	1000	

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Construction Authorization No. 8082-90-1

S.C.A. Date: February 3, 1998

2. At such time as runoff water is collected in Sedimentation Pond 004 a sample shall be collected and analyzed for the parameters designated as 1M to 15M under Part 5-C of Form 2C and the effluent parameters designated herein, with the results sent to this Agency to show compliance with the applicable effluent and water quality standards. Should additional treatment be necessary to meet these standards, a Supplemental Permit must be obtained. Discharge from a pond is not allowed unless applicable effluent and water quality standards are met.

NPDES Permit No. IL0064611

Construction Authorization No. 8082-90-2

S.C.A. Date: October 19, 1998

Supplemental Authorization is hereby granted to the above designee to construct the mine and mine refuse area, which were previously approved under Authorization No. 8082-90 dated May 20, 1996, and Supplemental Authorization No. 8082-90-1 dated February 3, 1998. These facilities have been revised as follows:

The addition of 20 acres, identified as OMM Permit No. 243, Incidental Boundary Revision (IBR) No. 2, located in Section 14, T10S, R7E, 3<sup>rd</sup> P.M., Saline County for area stripping as proposed and described in IEPA Log No. 0364-98. Sedimentation Basin 026 shall be modified as described.

The addition of a surface mining area containing 268.4 acres, identified as OMM Permit No. 316 area, located in Section 24, T10S, R7E, 3<sup>rd</sup> P.M., Saline County as described in IEPA Log Nos. 1412-97, 1412-97-A and 1412-97-B. This additional mining area includes haulage roads, drainage control structures (ditches), sedimentation ponds, mining pit and support activities and facilities.

Surface drainage within this area will be controlled by six (6) sedimentation ponds with discharges designated as Outfalls 049, 050, 051, 052, 053 and 054, all of which are classified as acid mine drainage. Discharges from Outfall 049 will report to an unnamed tributary to Little Eagle Creek while discharges from Outfalls 050, 051, 052, 053 and 054 will report to unnamed tributaries to Eagle Creek. Rock dust and soda ash may be utilized for acid water treatment. All sedimentation ponds identified herein are to remain as permanent impoundments.

The additional mining area described herein (OMM Permit No. 316 area) incorporates two (2) existing NPDES Permit area identified as follows:

NPDES Permit No. IL0064815 for Arclar Company - Mine No. 2 containing 40.2 acres located in Section 24, T10S, R7E, Saline County.

NPDES Permit No. IL0068586 for Sugar Camp Coal Company - Mine No. 2 containing 27.24 acres located in Section 24, T10S, R7E, Saline County.

Groundwater monitoring reports for Wells MW-20, MW-21 and MW-22 as required by IDNR/OMM shall be submitted simultaneously and in duplicate to the Agency.

The addition of the areas described above results in a total NPDES permit area of 2,213.5 acres.

Two (2) silt traps shall be constructed in the perimeter ditch located within the OMM Permit No. 243 area as described in IEPA Log No. 0169-98. No affected area drainage shall leave the site without passing through a sedimentation pond as a result of this silt trap construction.

Modifications to Pond 022 and Fresh Water Pond No. 2 shall be performed as described in IEPA Log Nos. 0281-98 and 0425-98. Discharge from Pond 022 will report to Fresh Water Pond No. 2 with discharge from the Fresh Water Pond No. 2 being designated as Outfall 022. The Agency shall be notified of any determinations or permits required or obtained from MSHA for these impoundments.

Chloride and Sulfate monitoring requirements for Outfalls 021, 022 and 028 are hereby eliminated as proposed in IEPA Log Nos. 0261-98, 0262-98 and 0263-98.

As per notification and information included in IEPA Log No. 0497-98, this permit is hereby transferred from Jader Fuel Co., Inc. to Jader Coal Company, L.L.C.

Pursuant to Title 35 Ill. Adm. Code 406.203 the water quality standards of Title 35 Ill. Adm. Code 406.202 as they apply to sulfates, chlorides, total dissolved solids, iron and manganese shall not apply to discharges 049, 050, 051, 052, 053 and 054 subject to Condition 1.

The abandonment plan shall be executed and completed in accordance with Title 35 Ill. Adm. Code 405.109.

All Conditions in the original Authorization to Construct are incorporated in this Supplemental Authorization unless specifically deleted or revised herein.

NPDES Permit No. IL0064611

Construction Authorization No. 8082-90-2

S.C.A. Date: October 19, 1998

This Supplemental Authorization is issued subject to the following Condition. If such Condition requires additional or revised facilities, appropriate engineering plan documents must be submitted to this Agency for review and approval to secure issuance of a Supplemental Authorization to Construct.

1. Any of the following shall be a violation of the provisions required under Title 35 Ill. Adm. Code 406.203(c):
  - A. It is demonstrated that an adverse effect on the environment in and around the receiving stream has occurred or is likely to occur.
  - B. It is demonstrated that the discharge has adversely affected or is likely to adversely affect any public water supply.
  - C. The Agency determines the permittee is not utilizing good mining practices which are applicable in order to minimize the discharge of total dissolved solids, chloride, sulfate, iron and manganese. The following concentrations are presumed achievable according to information in the application, and demonstrate the utilization of good mining practices. The Agency may require additional information to determine compliance with Title 35 Ill. Adm. Code 406.204 when they are exceeded.

<u>Outfall</u>	<u>Chloride in mg/l</u>	<u>Sulfate in mg/l</u>	<u>Other</u>
049, 050, 051 052, 053 054	500	3000	

NPDES Permit No. 0064611

Special Conditions

Special Condition No. 1: No effluent from any mine related facility area under this permit shall, alone or in combination with other sources, cause a violation of any applicable water quality standard as set out in the Illinois Pollution Control Board Rules and Regulations, Chapter 1, Subtitle C: Water Pollution, unless specifically exempted under Rule 406.203 of Chapter 1, Subtitle D, Mine Related Water Pollution.

Special Condition No. 2: Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

Special Condition No. 3: The permittee shall record monitoring results on Discharge Monitoring Report Forms using one such form for each discharge each month.

Discharge Monitoring Reports shall be mailed to the IEPA at the following address:

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
1021 North Grand Ave., East  
P.O. Box 19276  
Springfield, IL 62794-9276

Special Condition No. 4: The completed Discharge Monitoring Report form shall be retained by the permittee for a period of three months and shall be mailed and received by the IEPA in accordance with the following schedule, unless otherwise specified by the permitting authority.

Period	Received by IEPA
February, March, April	May 15
May, June, July	August 15
August, September, October	November 15
November, December, January	February 15

Special Condition No. 5: If an applicable effluent standard or limitation is promulgated under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act and that effluent standard or limitation is more stringent than any effluent limitation in the permit or controls a pollutant not limited in the NPDES Permit, the Agency shall revise or modify the permit in accordance with the more stringent standard or prohibition and shall so notify the permittee.

Special Condition No. 6: The permittee shall notify the Agency in writing by certified mail within thirty days of abandonment, cessation, or suspension of active mining for thirty days or more unless caused by a labor dispute. During cessation or suspension of active mining, whether caused by a labor dispute or not, the permittee shall provide whatever interim impoundment, drainage diversion, and wastewater treatment is necessary to avoid violations of the Act or Subtitle D, Chapter 1.

Special Condition No. 7: Plans must be submitted to and approved by this Agency prior to construction of a sedimentation pond. At such time as runoff water is collected in the sedimentation pond, a sample shall be collected and analyzed for the parameters designated as 1M-15M under Part 5-C of Form 2C and the effluent parameters designated herein, with the results sent to this Agency to show compliance with the applicable effluent and water quality standards. Should additional treatment be necessary to meet these standards, a Supplemental Permit must also be obtained. Discharge from a pond is not allowed unless applicable effluent and water quality standards are met.

Special Condition No. 8: The special reclamation area effluent standards of 35 Ill. Adm. Code 406.109 apply only on approval from the Agency. To obtain approval, a request form and supporting documentation shall be submitted 45 days prior to the month that the permittee wishes the discharge be classified as a reclamation area discharge. The Agency will notify the permittee upon approval of the change.

Special Condition No. 9: The special stormwater effluent standards apply only on approval from the Agency. To obtain approval, a request with supporting documentation shall be submitted 45 days prior to the month that the permittee proposes the discharge to be classified as a stormwater discharge. The documentation supporting the request shall include analysis results indicating the discharge will consistently comply with reclamation area discharge effluent standards. The Agency will notify the permittee upon approval of the change.

NPDES Permit No. 0064611

Special Conditions

Special Condition No. 10: Annual storm water monitoring is required for all discharges not reporting to a sediment basin until Final SMCRA Bond is released and approval to cease such monitoring is obtained from the Agency.

- A. Each discharge must be monitored for pH and settleable solids annually.
- B. Analysis of samples must be submitted with second quarter Discharge Monitoring Reports. A map with discharge locations must be included in this submittal.
- C. If discharges can be shown to be similar, a plan may be submitted by November 1 of each year preceding sampling to propose grouping of similar discharges and/or update previously submitted groupings. If updating of a previously submitted plan is not necessary, a written notification to the Agency indicating such is required. Upon approval from the Agency, one representative sample for each group may be submitted.

ATTACHMENT H  
Standard Conditions

Definitions

**Act** means the Illinois Environmental Protection Act, Ch. 111 1/2 Ill. Rev. Stat., Sec. 1001-1052 as Amended.

**Agency** means the Illinois Environmental Protection Agency.

**Board** means the Illinois Pollution Control Board.

**Clean Water Act** (formerly referred to as the Federal Water Pollution Control Act) means Pub. L. 12-500, as amended, 33 U.S.C. 1251 et seq.

**NPDES** (National Pollutant Discharge Elimination System) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318 and 405 of the Clean Water Act.

**USEPA** means the United States Environmental Protection Agency.

**Daily Discharge** means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

**Maximum Daily Discharge Limitation** (daily maximum) means the highest allowable daily discharge.

**Average Monthly Discharge Limitation** (30 day average) means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

**Average Weekly Discharge Limitation** (7 day average) means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

**Best Management Practices** (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**Aliquot** means a sample of specified volume used to make up a total composite sample.

**Grab Sample** means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes.

**24 Hour Composite Sample** means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24-hour period.

**8 Hour Composite Sample** means a combination of at least 3 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over an 8-hour period.

**Flow Proportional Composite Sample** means a combination of sample aliquots of at least 100 milliliters collected at periodic intervals such that either the time interval between each aliquot or the volume of each aliquot is proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot.

(1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

(2) **Duty to reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.

(3) **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

(4) **Duty to mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

(5) **Proper operation and maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.

(6) **Permit actions.** This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(7) **Property rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.

(8) **Duty to provide information.** The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency, upon request, copies of records required to be kept by this permit.

(9) **Inspection and entry.** The permittee shall allow an authorized representative of the Agency, upon the presentation of credentials and other documents as may be required by law, to:

(a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

(d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.

(10) **Monitoring and records.**

(a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.

(b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit for a period of at least 3 years from the date of this permit, measurement, report or application. This period may be extended by request of the Agency at any time.

(c) Records of monitoring information shall include:

(1) The date, exact place, and time of sampling or measurements;

(2) The individual(s) who performed the sampling or measurements;

(3) The date(s) analyses were performed;

(4) The individual(s) who performed the analyses;

(5) The analytical techniques or methods used; and

(6) The results of such analyses.

(d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

(11) **Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.

(a) **Application.** All permit applications shall be signed as follows:

(1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;

(2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

(3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.

(b) **Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:

(1) The authorization is made in writing by a person described in paragraph (a); and

(2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and

(3) The written authorization is submitted to the Agency.

- (c) Changes of Authorization. If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
- (12) Reporting requirements.
- (a) Planned changes. The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility.
- (b) Anticipated noncompliance. The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- (c) Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- (d) Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).
- (2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 138 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
- (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.
- (e) Twenty-four hour reporting. The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The following shall be included as information which must be reported within 24 hours:
- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit;
- (2) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit to be reported within 24 hours;
- The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- (f) Other noncompliance. The permittee shall report all instances of noncompliance not reported under paragraphs (12)(c), (d), or (e), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12)(e).
- (g) Other information. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.
- (13) Transfer of permits. A permit may be automatically transferred to a new permittee if:
- (a) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
- (b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittees; and
- (c) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.
- (14) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:
- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
- (1) One hundred micrograms per liter (100 ug/l);
- (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
- (3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
- (4) The level established by the Agency in this permit.
- (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.
- (15) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
- (a) Any new introduction of pollutants into that POTW from an indirect discharger which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
- (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
- (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
- (16) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
- (1) User charges pursuant to Section 204(b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
- (2) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
- (3) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.
- (17) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.
- (18) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.
- (19) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.
- (20) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, or 308 of the Clean Water Act is subject to a fine of not less than \$2,500, nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both.
- (21) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- (22) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit shall, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- (23) Collected screenings, slurrries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.
- (24) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
- (25) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board.
- (26) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.

8470-100

Due date 12-13-00

# JADER COAL COMPANY, L. L. C.

P. O. Box 40  
Herod, Illinois 62947  
Phone #618/275-4486  
Fax #618/275-4529

October 30, 2000

Illinois Environmental Protection Agency  
Mine Pollution Control Program  
Bureau of Water  
2309 West Main Street, Suite 116  
Marion, Illinois 62959

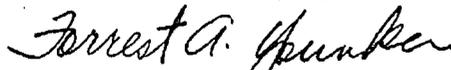
Attention: Mr. Ron Morse

Re: NPDES Permit No. IL0064611 Renewal

Please find enclosed (2) two copies of NPDES Permit No. IL0064611 Renewal application for your review and approval. This renewal is being submitted in advance of the April 30, 2001 expiration date.

Should you have any questions or need any clarification, please contact me or Gary Carr.

Respectfully,  
For Jader Coal Company, L. L. C.



Forrest A. Younker, P. E.  
Manager of Engineering

**RECEIVED**

OCT 31 2000

Illinois Environmental Protection Agency  
MARION REGIONAL OFFICE

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
DIVISION OF WATER POLLUTION CONTROL  
PERMIT SECTION

APPLICATION FOR MINE RELATED POLLUTION CONTROL PERMIT  
WPC-PS-MW

1. NAME AND LOCATION :

1.1 Applicant is a (check one) :

sole proprietorship,  joint venture,  partnership, or  corporation. (LLC)

1.2 Name of Applicant Jader Coal Company, L. L. C.  
Street Address P. O. Box 40, 920 Gape Hollow Road Phone # 618-275-4486  
City Herod State Illinois Zip Code 62947

1.3 Mine Name Jader Mine No. 4  
Local Mine Address P. O. Box 40, 920 Gape Hollow Road Phone # 618-275-4486  
City Herod State Illinois Zip Code 62947

1.4 Superintendent or Local Contact Person Gary E. Carr - Permit Manager  
Street Address R. R. #2 Box 188 Phone # 618-287-3454  
City Elizabethtown State Illinois Zip Code 62947

1.5 Mine Location

1.5.1 1,2,11,12,13,14,23,24, 26 10South 7East 3rd Saline  
Section Township Range PM County

1.5.2 Name, distance and direction of nearest incorporated town 7.8 miles Southwest of Equality, Illinois

1.5.3 Other location information 5 miles North of Herod, Illinois, turn left at Post Office

2. BRIEF DESCRIPTION OF PROJECT OR FACILITIES COVERED BY THIS APPLICATION :

Surface Coal Mining, Processing and Shipping  
Underground Coal Mine Possible in Future - Permit in Review

3. THIS IS AN APPLICATION FOR :

Opening  Reopening  Operating  Abandoning  or Supplemental Permit  (Renewal)  
for a mine  or mine refuse area

If this is an Application for Supplemental Permit, give original Permit # IL0064611 and date April 30, 1995

4. DOCUMENTS BEING SUBMITTED :

4.1 . Construction, Opening or Reopening a Mine MA X and NPDES forms :  
Operating a Mine MB X  
Mine Refuse Disposal MC X 1 General \_\_\_\_\_  
Abandonment of a Mine MD X  
Discharge Location and Characteristics ME X 2C \_\_\_\_\_

4.2 List of Other Documents Submitted :

Location Map - Jader Mine No. 4  
Drainage Maps - Permit No.'s 243, 316 and 325  
Abandonment (Post Mining Reclamation) Maps - Permit No.'s 243, 316 & 325  
Hydrogeologic Map

This Agency is authorized to require this information under Illinois Revised Statutes, 79, Chapter 111 1/2, Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

5. CERTIFICATIONS AND APPROVALS :

5.1 STATEMENT AND CERTIFICATION BY ENGINEER (When required by the Illinois Professional Engineering Act, Ill. Rev. Stat. 1979 ch. 111, par. 5101, et. seq.

In my professional judgement, the plans and specifications submitted as part of this application describe an operation which will meet all applicable effluent standards of Title 35, Subchapter D : Mine Related Water Pollution. I certify that I am familiar with all of the plans specifications, reports, and maps submitted as part of this application and that said plans, etc. are accurate insofar as they represent existing conditions.

ENGINEER Forrest A. Younker, P. E. REGISTRATION NUMBER 037856

FIRM Resident PHONE # \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Date October 30, 2000 Signature Forrest A. Younker

Seal

5.2 (I) (We) have read and thoroughly understand the condition and requirements of this permit application, certify that the information contained herein is true and correct, and agree to conform to the permit conditions and other applicable requirements of the Illinois Environmental Protection Agency. It is understood that the opening, reopening, or operation of the mine refuse area hereunder, after the permit is granted, shall constitute acceptance by the applicant of any special conditions that may be placed hereon by the Illinois Environmental Protection Agency.

In addition, I/We hereby certify that (a) I/We have secured all necessary zoning approvals from the unit of local government having zoning jurisdiction over the proposed facility, or (b) that said facility complies with local zoning requirements and no other approval is not required, or (c) no unit of local government has zoning jurisdiction over the proposed facility.

DATE 10/30/2000 AUTHORIZED SIGNATURE(S) Forrest A. Younker

TITLE(S) Manager of Engineering

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
Division of Water Pollution Control  
Permit Section

SCHEDULE MA: CONSTRUCTION, OPENING, OR REOPENING A MINE

1. Name of Mine Jader Mine No. 4 Mineral Deposit To Be Mined Coal
2. Attach a description of proposed construction, proposed mining operations, mining equipment, pollution control equipment\*, and any facilities for the control of drainage from the affected land. See Attachment No. 1
3. Proposed method of disposal of overburden : Mining will be from South to North with overburden blasted, pushed by dozers and then hauled by truck, deposited and graded. Following rough grading, soils will be placed and the area seeded.
4. Proposed method of disposal of mine refuse : Mine refuse will be initially stored at the prep plant, then be hauled to the active pit for final disposal and will be covered by non-toxic overburden and soil.
5. Proposed method of disposal of slurry from processing operations : Slurry will be disposed of initially by pumping into an existing pre-law pit left from previous mining. The slurry will then be removed, either hauled or allowed to dry then hauled to the active pit for final disposal and will be covered by non-toxic overburden and soil.
6. For Underground Mining : Nature of Shaft Excavation Material : N/A at this time
- Proposed Method of Disposal : N/A at this time
7. Attach detailed drawings and specifications for any treatment works for process wastewater or pollution control facilities such as settling ponds for runoff control. Provide runoff calculations and pond capacities See Attachment No. 1
8. Will the proposed operation have any discharges?  YES  NO  
If yes, submit Schedule ME. If no, describe below how "no discharge" will be accomplished. \_\_\_\_\_
9. Describe the existing land condition, its present use and the environmental condition of the area to be affected by mining. See Attachment No. 1
10. Describe existing surface water within or adjacent to the mine area and the condition of any natural water course. See Attachment No. 1
11. Describe the extent to which the operator plans to direct, redirect or dam any waterway on all affected land. Surface runoff will be directed to the sediment ponds constructed
12. Discuss proposed means of avoiding air, land and water pollution at this mine site when opening the mine. A water truck is used for haulroads and the mining area to control dust. Surface water runoff passes through sediment ponds prior to discharge.
13. Submit all boring logs from borings drilled at the site to describe the nature of the underlying mineral deposits and any overburden. See Attachment No. 1

\* Air pollution control devices may require a separate permit from the Division of Air Pollution Control.

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
Division of Water Pollution Control  
Permit Section

SCHEDULE MB: OPERATING A MINE

1. Name of Mine Jader Mine No. 4
2. Provide a description of basic mine operations and facilities. Include processing plants, specifications of settling ponds, pit pumps and describe how drainage from any processing areas will be controlled. The permit area is being utilized as a Coal Strip Mining Operation. The surface water runoff is directed to the sediment ponds.

3. Method of Mining : Strip Mining Operation
- Surface Mining :
- |                             |                                |                       |  |
|-----------------------------|--------------------------------|-----------------------|--|
| Depth of Overburden         | <u>Varies from 40' to 150'</u> | Nature of Overburden  | <u>Sandstone, shale, slate, fireclay</u> |
| Mineral Deposit to be Mined | <u>See Attachment No. 2</u>    | Thickness             | <u>See Attachment No. 2</u>              |
| Acreage Mined Per Year      | <u>100</u>                     | Expected Life of Mine | <u>N/A</u>                               |
| Total Acreage of Mine Area  | <u>2,453 Permitted</u>         |                       |  |

- Underground Mining :
- Nature of Shaft Excavation Material N/A
4. List possible flooded or abandoned deep mines which are near to or may be encountered in the affected land. (Also show on Map)  
N/A

5. List underground water resources which are within or which directly receive drainage from the affected land.  
N/A

6. List Public Water Supplies within ten miles of the affected land.
- | Name                                | Type        | Location and Distance from Mine        |
|-------------------------------------|-------------|--|
| a. <u>Shawneetown Water Dept.</u>   | <u>Well</u> | <u>Shawneetown - 10 miles ortheast</u> |
| b. <u>Equality Water Dept.</u>      | <u>Well</u> | <u>Junction - 10 miles Northeast</u>   |
| c. <u>SalineValley Conservancy</u>  | <u>Well</u> | <u>Junction - 10 miles Northeast</u>   |
| d. <u>Hardin County Water Dist.</u> | <u>Well</u> | <u>Junction - 10 miles Northeast</u>   |
| e. _____                            | _____       | _____                                  |
| f. _____                            | _____       | _____                                  |

7. List here and show on a map all private water supplies on or within a one mile radius of the affected land.
- |                                |          |
|--------------------------------|----------|
| a. <u>See Attachment No. 2</u> | e. _____ |
| b. _____                       | f. _____ |
| c. _____                       | g. _____ |
| d. _____                       | h. _____ |

8. The Illinois Environmental Protection Act (Sec. 14.2) requires minimum setback zones regarding the location of mines to water supply wells. This zone may extend to 400 feet for wells in certain geologic formations. Identify all wells within 400 feet of the quarry or pit and specify ownership, depth and distance to each.  
See Attachment No. 2

9. Provide adequate hydrogeologic data and discuss any affects the mine will have on any water supply listed in 6, 7 or 8.  
See Attachment No. 2

10. Will the proposed operation have any discharges?  YES  NO  
If yes, submit Schedule ME and NPDES application forms 1 General and 2C for an NPDES permit to discharge to surface waters. If no, describe how "no discharge" will be accomplished.

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
Division of Water Pollution Control  
Permit Section

SCHEDULE MC: MINE REFUSE DISPOSAL

1. Name of Mine Jader Mine No. 4

2. Provide a narrative description of the proposed disposal plan.

Mine refuse will be placed in the pits created on Permits 243, 316 & 325 after temporary storage at the prep plant. The refuse will be covered with a minimum of 2' of non-toxic overburden then covered 1' to 4' with subsoil and topsoil

a. Nature of Refuse : Coarse Refuse and Breaker Reject

Acid Producing

Non-acid Producing

b. Nature of subsoil material in disposal area : The soil types in the area are Hosmer silt loam, Wakeland silt loam and Belknap silt loam.

c. Source and type of cover material : Stockpiled sub-soil and topsoil from the strip mining operation.

d. Provide engineering details and detailed drawings of the site and the method of disposal. Describe frequency and thickness of cover. Also discuss the proposed method for preventing pollutional drainage from the refuse area.

3. Slurry (Readily Pumpable Material) :

a. Nature of Slurry : Fines are pumped from the prep plant to an old pit, then removed to the active pit

Acid Producing

Non-acid Producing

b. Nature of subsoil material in disposal area : See 2(b) above

c. Narrative description of method of disposal : See 2(b) above

d. Provide engineering details and detailed drawings of the site and the method of disposal. Also discuss the proposed method for preventing pollutional drainage from the refuse area.

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**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**  
**Division of Water Pollution Control**  
**Permit Section**

**SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS**

1. Name of Mine:	Jader Mine No. 4				
2. Discharge #	Quarter Section	Section	Township	Range	County
021	NE1/4 NW1/4	26	10South	7East	Saline
022	NW1/4 SE1/4	23	10South	7East	Saline
023	SW1/4 NE1/4	23	10South	7East	Saline

	021	022	023
3. Receiving Stream	Drainage Ditch	Drainage Ditch	Drainage Ditch
Tributary to	Eagle Creek	Eagle Creek	Eagle Creek
Tributary to	Saline River	Saline River	Saline River
Tributary to	Ohio River	Ohio river	Ohio River

4. Average flow (gpd) of Discharge \_\_\_\_\_ Maximum Flow (gpd) of Discharge \_\_\_\_\_  
 Discharge occurs : all year \_\_\_\_\_ During Rain Events \_\_\_\_\_  
 month(s) \_\_\_\_\_  
 days per week \_\_\_\_\_

5. Sample Type (specify composite, grab, etc.)	1/95 to 9/00	8/95 to 9/00	12/98 to 9/00
	grab	grab	grab
	021	022	23
Acidity (mg/l)	11	15	8
Alkalinity (mg/l)	51	51	71
Ammonia Nitrogen (as N) (mg/l)			
Fluoride (mg/l)			
Iron (mg/l)	0.97	0.94	0.22
Lead (mg/l)			
Manganese (mg/l)	2.09	1.8	0.92
pH (range)	7.40	7.10	7.40
Sulfate (mg/l)	1183	1548	865
Total Dissolved Solids (mg/l)			
Total Suspended Solids (mg/l)	11	15	19
Zinc (mg/l)			

Analysis Performed By : Chris McSecranin @ BAR Lab Date(s) :

6. Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits and pumps conveying the discharge water from its source to the discharge point.  
Discharge 021, discharge structure - 12" steel pipe, surface water from access road & prep plant area  
Discharge 022, discharge structure - riprap spillway, surface water from haulroad and reclaimed area  
Discharge 023, discharge structure - 24" steel casing, surface water from haulroad, soil stockpiles and reclaimed area

7. Has an NPDES Permit Application been submitted for the above discharge?  No  Yes

NPDES application forms 1 General and 2C must be submitted with WPC-PS-MW and the appropriate schedules and maps for issuance of an NPDES permit with a construction authorization to discharge to surface waters.

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
 Division of Water Pollution Control  
 Permit Section

SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS

1. Name of Mine:	Jader Mine No. 4				
2. Discharge #	Quarter Section	Section	Township	Range	County
024	SW1/4 SE1/4	14	10South	7East	Saline
025	NE1/4 SE1/4	14	10South	7East	Saline
026	SE1/4 NE1/4	14	10South	7East	Saline

	024	025	026
3. Receiving Stream	Drainage Ditch	Drainage Ditch	Drainage Ditch
Tributary to	Eagle Creek	Eagle Creek	Rose Creek
Tributary to	Saline River	Saline River	Eagle Creek
Tributary to	Ohio River	Ohio River	Saline River

4. Average flow (gpd) of Discharge \_\_\_\_\_ Maximum Flow (gpd) of Discharge \_\_\_\_\_  
 Discharge occurs : all year \_\_\_\_\_  
 month(s) \_\_\_\_\_  
 days per week \_\_\_\_\_  
 During Rain Events \_\_\_\_\_

5. Sample Type (specify composite, grab, etc.)	9/97 to 9/00	2/00 to 9/00	12/99 to 9/00
	grab	grab	grab
	024	025	26
Acidity (mg/l)	10	7	22
Alkalinity (mg/l)	110	399	329
Ammonia Nitrogen (as N) (mg/l)			
Fluoride (mg/l)			
Iron (mg/l)	0.39	0.16	0.08
Lead (mg/l)			
Manganese (mg/l)	0.53	0.06	1.61
pH (range)	7.70	8.20	8.00
Sulfate (mg/l)	1932	1247	2498
Total Dissolved Solids (mg/l)			
Total Suspended Solids (mg/l)	21	19	15
Zinc (mg/l)			

Analysis Performed By: Chris McSecranin @ BAR Lab Date(s):

6. Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits and pumps conveying the discharge water from its source to the discharge point.  
 Discharge 024, discharge structure - 24" steel casing, surface water from haulroad, reclaimed area and active mining area.  
 Discharge 025, discharge structure - 24" steel casing, surface water from haulroad, reclaimed area active mining area, and pit pumpage  
 Discharge 026, discharge structure - 24" steel casing, surface water from active mining area and pit pumpage.

7. Has an NPDES Permit Application been submitted for the above discharge?  No  Yes

NPDES application forms 1 General and 2C must be submitted with WPC-PS-MW and the appropriate schedules and maps for issuance of an NPDES permit with a construction authorization to discharge to surface waters.

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
 Division of Water Pollution Control  
 Permit Section

SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS

1. Name of Mine:	Jader Mine No. 4				
2. Discharge #	Quarter Section	Section	Township	Range	County
034	SE1/4 SE1/4	11	10South	7East	Saline
035	NE1/3 NE1/4	11	10South	7East	Saline
036	NE1/4 NE1/4	11	10South	7East	Saline

	034	035	036
3. Receiving Stream	Drainage Ditch	Drainage Ditch	Drainage Ditch
Tributary to	Pruett Branch	Pruett Branch	Pruett Branch
Tributary to	Eagle Creek	Eagle Creek	Eagle Creek
Tributary to	Saline River	Saline River	Saline River

4. Average flow (gpd) of Discharge                      During rain events                      Maximum Flow (gpd) of Discharge                       
 Discharge occurs : all year                       
 month(s)                       
 days per week                     

5. Sample Type (specify composite, grab, etc.)	034	035	036
	grab	grab	grab
	Proposed	Proposed	Proposed
Acidity (mg/l)			
Alkalinity (mg/l)			
Ammonia Nitrogen (as N) (mg/l)			
Fluoride (mg/l)			
Iron (mg/l)			
Lead (mg/l)			
Manganese (mg/l)			
pH (range)			
Sulfate (mg/l)			
Total Dissolved Solids (mg/l)			
Total Suspended Solids (mg/l)			
Zinc (mg/l)			

Analysis Performed By : Chris McSecranin @ BAR Lab Date(s) :                     

6. Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits and pumps conveying the discharge water from its source to the discharge point.  
Discharge 034, proposed discharge structure - riprap spillway, surface water from mining area, soil stockpiles  
pit pumpage  
Discharge 035, proposed discharge structure - riprap spillway, surface water from mining area, soil stockpiles  
pit pumpage  
Discharge 036, proposed discharge structure - riprap spillway, surface water from mining area, soil stockpiles  
pit pumpage

7. Has an NPDES Permit Application been submitted for the above discharge?  No  Yes

NPDES application forms 1 General and 2C must be submitted with WPC-PS-MW and the appropriate schedules and maps for issuance of an NPDES permit with a construction authorization to discharge to surface waters.

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
 Division of Water Pollution Control  
 Permit Section

SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS

1. Name of Mine:	Jader Mine No. 4				
2. Discharge #	Quarter Section	Section	Township	Range	County
037	SE1/4 SE1/4	2	10South	7East	Saline
038	NE1/4 SE1/4	2	10South	7East	Saline
048	NW1/4 SE1/4	14	10South	7East	Saline

	037	038	048
3. Receiving Stream	Drainage Ditch	Drainage Ditch	Drainage Ditch
Tributary to	Pruett Branch	Pruett Branch	Eagle Creek
Tributary to	Eagle Creek	Eagle Creek	Saline River
Tributary to	Saline River	Saline River	Ohio River

4. Average flow (gpd) of Discharge \_\_\_\_\_ During rain events \_\_\_\_\_ Maximum Flow (gpd) of Discharge \_\_\_\_\_  
 Discharge occurs : all year \_\_\_\_\_  
 month(s) \_\_\_\_\_  
 days per week \_\_\_\_\_

5. Sample Type (specify composite, grab, etc.)	037	038	2/98 to 9/00
	grab	grab	grab
	037	038	048
Acidity (mg/l)	Proposed	Proposed	17
Alkalinity (mg/l)			309
Ammonia Nitrogen (as N) (mg/l)			
Fluoride (mg/l)			
Iron (mg/l)			0.33
Lead (mg/l)			
Manganese (mg/l)			0.76
pH (range)			7.90
Sulfate (mg/l)			1850
Total Dissolved Solids (mg/l)			
Total Suspended Solids (mg/l)			17
Zinc (mg/l)			

Analysis Performed By : Chris McSecranin @ BAR Lab Date(s) : \_\_\_\_\_

6. Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits and pumps conveying the discharge water from its source to the discharge point.  
 Discharge 037, proposed discharge structure - riprap spillway, surface water from mining area, soil stockpiles  
 pit pumpage  
 Discharge 038, proposed discharge structure - riprap spillway, surface water from mining area, soil stockpiles  
 pit pumpage  
 Discharge 048, discharge structure - 24" steel casing, surface water from mining area, haulroad  
 pit pumpage

7. Has an NPDES Permit Application been submitted for the above discharge?  No  Yes

NPDES application forms 1 General and 2C must be submitted with WPC-PS-MW and the appropriate schedules and maps for issuance of an NPDES permit with a construction authorization to discharge to surface waters.

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**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**  
 Division of Water Pollution Control  
 Permit Section

**SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS**

1. Name of Mine: Jader Mine No. 4

Discharge #	Quarter Section	Section	Township	Range	County
049	SW1/4 NE1/4	24	10South	7East	Saline
050	NW1/4 NE1/4	24	10South	7East	Saline
051	NW1/4 NE1/4	24	10South	7East	Saline

	<u>049</u>	<u>050</u>	<u>051</u>
3. Receiving Stream	Drainage Ditch	Drainage Ditch	Drainage Ditch
Tributary to	Little Eagle Creek	Eagle Creek	Eagle Creek
Tributary to	Eagle Creek	Saline River	Saline River
Tributary to	Saline River	Ohio River	Ohio River

4. Average flow (gpd) of Discharge                      During rain events                      Maximum Flow (gpd) of Discharge                       
 Discharge occurs : all year                       
 month(s)                       
 days per week                     

5. Sample Type (specify composite, grab, etc.)	<u>                    </u>	<u>                    </u>	<u>                    </u>
	grab	grab	grab
	049	050	051
Acidity (mg/l)	No Discharge	Proposed	Proposed
Alkalinity (mg/l)			
Ammonia Nitrogen (as N) (mg/l)			
Fluoride (mg/l)			
Iron (mg/l)			
Lead (mg/l)			
Manganese (mg/l)			
pH (range)			
Sulfate (mg/l)			
Total Dissolved Solids (mg/l)			
Total Suspended Solids (mg/l)			
Zinc (mg/l)			
Analysis Performed By :	Chris McSecranin @ BAR Lab		
Date(s) :			

6. Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits and pumps conveying the discharge water from its source to the discharge point.  
Discharge 049, discharge structure - riprap spillway, surface water from mining area, soil stockpiles  
pit pumpage  
Discharge 050, proposed discharge structure - riprap spillway, surface water from mining area, soil stockpiles  
pit pumpage  
Discharge 051, proposed discharge structure - riprap spillway, surface water from mining area, soil stockpiles  
pit pumpage

7. Has an NPDES Permit Application been submitted for the above discharge?  No  Yes

NPDES application forms 1 General and 2C must be submitted with WPC-PS-MW and the appropriate schedules and maps for issuance of an NPDES permit with a construction authorization to discharge to surface waters.

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090-001  
**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**  
 Division of Water Pollution Control  
 Permit Section

**SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS**

1. Name of Mine: Jader Mine No. 4

Discharge #	Quarter Section	Section	Township	Range	County
052	NW1/4 SW1/4	13	10South	7East	Saline
054	NW1/4 SW1/4	24	10South	7East	Saline

	<u>052</u>	<u>054</u>
3. Receiving Stream	Drainage Ditch	Drainage Ditch
Tributary to	Eagle Dreek	Eagle Creek
Tributary to	Saline River	Saline River
Tributary to	Ohio River	Ohio River

4. Average flow (gpd) of Discharge During rain events Maximum Flow (gpd) of Discharge \_\_\_\_\_  
 Discharge occurs : all year \_\_\_\_\_  
 month(s) \_\_\_\_\_  
 days per week \_\_\_\_\_

5. Sample Type (specify composite, grab, etc.)	<u>4/00 to 9/00</u>	<u>4/00 to 9/00</u>
	<u>grab</u>	<u>grab</u>
	<u>052</u>	<u>054</u>
Acidity (mg/l)	2	9
Alkalinity (mg/l)	79	33
Ammonia Nitrogen (as N) (mg/l)		
Fluoride (mg/l)		
Iron (mg/l)	0.86	0.68
Lead (mg/l)		
Manganese (mg/l)	<0.05	2.89
pH (range)	8.10	7.60
Sulfate (mg/l)	251	543
Total Dissolved Solids (mg/l)		
Total Suspended Solids (mg/l)	17	12
Zinc (mg/l)		
Analysis Performed By :	<u>Chris McSecranin @ BAR Lab</u>	
Date(s) :		

6. Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits and pumps conveying the discharge water from its source to the discharge point.  
Discharge 052, discharge structure - 24" steel casing, surface water from mining area, soil stockpiles  
haulroad and pit pumpage  
Discharge 054, discharge structure - riprap spillway, surface water from mining area, soil stockpiles, haulroad  
township roads and pit pumpage

7. Has an NPDES Permit Application been submitted for the above discharge?  No  Yes

NPDES application forms 1 General and 2C must be submitted with WPC-PS-MW and the appropriate schedules and maps for issuance

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 111 1/2, Section 1039. Disclosure of

Attachment No. 1

Schedule MA

- 2) The area of Permit No. 243 was permitted for the surface mining of the Herrin No. 6 coal seam, Briar Hill No. 5A coal seam, Springfield No. 5 coal seam, Dekoven No. 3 coal seam, and Davis No. 2 coal seam. The surface water runoff from this area is collected in Sediment Pond No. 21, Sediment Pond No. 22, Sediment Pond No. 23, Sediment Pond No. 24, Sediment Pond No. 25, Sediment Pond No. 26, Sediment Pond No. 27, Sediment Pond No. 28, Sediment Pond No. 30, Sediment Pond No. 34, Sediment Pond No. 35, Sediment Pond No. 36, Sediment Pond No. 37, Sediment Pond No. 38 and Sediment Pond No. 48 prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Natural Resources Permit application when it was submitted.

The area of Permit No.316 was permitted for the surface mining of the Dekoven No. 3 coal seam, and Davis No. 2 coal seam. The surface water runoff from this area is collected in Sediment Pond No. 49, Sediment Pond No. 50, Sediment Pond No. 51, and Sediment Pond No. 54 prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Natural Resources Permit application when it was submitted.

The area of Permit No.325 was permitted for the surface mining of the Dekoven No. 3 coal seam, and Davis No. 2 coal seam. The surface water runoff from this area is collected in Sediment Pond No. 52, prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Natural Resources Permit application when it was submitted.

The area of Permit No. 343 was permitted (in review) for the underground mining of the Davis No. 2 coal seam. The surface water runoff from the area to be surface disturbed will be collected in Sediment Pond No. 52, Sediment Pond No. 30 and Sediment Pond No. 34 prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Natural Resources Permit application when it was submitted.

Mining Equipment

- 1) Caterpillar Dozer, Model D7RLPG
- 2) Caterpillar Dozer, Model D8L (2 each)
- 3) Caterpillar Dozer, Model D8N
- 4) Caterpillar Dozer, Model D9L
- 5) Caterpillar Dozer, Model D9N
- 6) Caterpillar Dozer, Model D11N (3 each)
- 7) Caterpillar Dozer, Model D11R (3 each)
- 8) Caterpillar Scrape, Model 637B
- 9) Euclid End Dump Trucks, Model R85 (12 each)
- 10) Caterpillar End Dump Trucks, Model 785 (6 each)
- 11) Caterpillar Back Hoe, Model 5230
- 12) Caterpillar Back Hoe, Model 5130 (2 each)
- 13) Hitachi Back Hoe, Model 1800
- 14) Komatsu Back Hoe, Model PC1000 (2 each)
- 15) Caterpillar Back Hoe, Model 245
- 16) Caterpillar Endloader, Model 992C (2 each)
- 17) Caterpillar Road Grader, Model 16G (2 each)
- 18) Drilltech Drill, Model D75K (2 each)
- 19) Caterpillar Endloader, Model 980B (3 each)
- 20) Kawasaki Endloader, Model 95Z

- 21) Manitowoc Dragline, Model 4600
- 22) Bucyrus Erie Crane, Model 30B
- 23) Lorain Motor Crane, Model 30T
- 24) Mack Water Truck, Model 35
- 25) Caterpillar Log Skidder, Model 518
- 26) Euclid End Dump Trucks, Model 100T Long Haul

7) Design of Discharge Structures

Sediment Pond No. 21  
Constructed 1995  
Drainage Area - 9.5 acres  
Storage Volume Provided - 3.39 acre feet

Sediment Pond No. 22  
Constructed 1995  
Drainage Area - 170.9 acres  
Storage Volume Provided - 34.03 acre feet

Sediment Pond No. 23  
Constructed 1998  
Drainage Area - 108.1 acres  
Storage Volume Provided - 21.08 acre feet

Sediment Pond No. 24  
Constructed 1997  
Drainage Area - 126.2 acres  
Storage Volume Provided - 32.13 acre feet

Sediment Pond No. 25  
Constructed 1999  
Drainage Area - 120.4 acres  
Storage Volume Provided - 21.20 acre feet

Sediment Pond No. 26  
Constructed 1999  
Drainage Area - 45 acres  
Storage Volume Provided - 10.85 acre feet

Sediment Pond No. 27  
To Be Constructed  
Drainage Area - 24 acres  
Storage Volume Provided - 4.71 acre feet

Sediment Pond No. 28  
Constructed 1995  
Drainage Area - 108.8 acres  
Storage Volume Provided - 23.56 acre feet

Sediment Pond No. 30  
To Be Constructed  
Drainage Area - 68.8 acres  
Storage Volume Provided - 9.84 acre feet

Sediment Pond No. 34  
To Be Constructed  
Drainage Area - 111.2 acres  
Storage Volume Provided - 19.32 acre feet

Sediment Pond No. 35  
To Be Constructed  
Drainage Area - 144.8 acres  
Storage Volume Provided - 28.33 acre feet

Sediment Pond No. 36  
To Be Constructed  
Drainage Area - 112.4 acres  
Storage Volume Provided - 18.15 acre feet

Sediment Pond No. 37  
To Be Constructed  
Drainage Area - 144.1 acres  
Storage Volume Provided - 25.03 acre feet

Sediment Pond No. 38  
To Be Constructed  
Drainage Area - 23 acres  
Storage Volume Provided - 4.22 acre feet

Sediment Pond No. 48  
Constructed 1999  
Drainage Area - 81 acres  
Storage Volume Provided - 16.97 acre feet

Sediment Pond No. 49  
Constructed 1999  
Drainage Area - 20.9 acres  
Storage Volume Provided - 5.03 acre feet

Sediment Pond No. 50  
To Be Constructed  
Drainage Area - 7.8 acres  
Storage Volume Provided - 1.13 acre feet

Sediment Pond No. 51  
To Be Constructed  
Drainage Area - 74 acres  
Storage Volume Provided - 6.95 acre feet

Sediment Pond No. 52  
Constructed 1999  
Drainage Area - 138.7 acres  
Storage Volume Provided - 27.86 acre feet

Sediment Pond No. 54  
Constructed 1999  
Drainage Area - 88.4 acres  
Storage Volume Provided - 13.81 acre feet

- 9) The pre-mining land use of the area of Permit No. 243 consists of pasture land which had a well-established cover of fescue and clover, wildlife habitat which consist of pasture land that had been allowed to return to fores through natural succession which has a cover of trees and bushes, developed water resources which consist of several stock watering ponds, forestry which had a cover of trees, prime farmland which consists of areas that have been farmed recently, strip-mining pit (pre-law) which consisted of a pit, highwall and spoil ridge left from previous surface mining, residential which consists of several houses, township roads, (1) one cemetery with buffers and (2) two churches (1) one physically located in Permit No. 325 but whose buffer extended into Permit No. 243 that was relocated in 1999 and (1) one to remain with buffers.

The pre-mining land use of the area of Permit No. 316 consists of pasture land which had a well-established cover of fescue and clover, wildlife habitat which consist of pasture land that had been allowed to return to fores through natural succession which has a cover of trees and bushes, developed water resources which consist of several stock watering ponds, forestry which had a cover of trees, strip-mining pit (pre-law) which consisted of a pit, highwall and spoil ridge left from previous surface mining, residential which consists of several houses and township roads.

The pre-mining land use of the area of Permit No. 325 consists of pasture land which had a well-established cover of fescue and clover, wildlife habitat which consist of pasture land that had been allowed to return to fores through natural succession which has a cover of trees and bushes, developed water resources which consist of several stock watering ponds, forestry which had a cover of trees, prime farmland which consists of area that was farmed recently, strip-mining pit (pre-law) which consisted of a pit, highwall and spoil ridge left from previous surface mining, and residential which consists of (1) one church that was relocated in 1999 and township roads.

The pre-mining land use of the area of Permit 343 consists of the same types as Surface Permits No.s 243, 316 and 325 since the surface disturbance for the proposed underground mine will be at the final cut on one of the permits.

- 10) A study of the surface water within or adjacent to the mine was provided with each Illinois Department of Natural Resources permit application. This information is included in Appendix No. 5 of Permit No. 243, Appendix No. 3 of Permit No. 316, Appendix No. 3 of Permit No. 325, and Appendix No. 3 of Permit No. 343.
- 13) The boring log and overburden analysis was provided with each Illinois Department of natural Resources permit application. This information is included in Appendix No. 5 of Permit No. 243, Appendix No. 3 of Permit No. 316, Appendix No. 3 of Permit No. 325, and Appendix No. 3 of Permit No. 343.

Attachment No. 2

Schedule MB

- 3) The mineral deposits to be mined are as follows:  
Herrin No. 6 coal seam - 36" to 48" in thickness  
Briar Hill No. 5A coal seam - 22" to 24" in thickness  
Springfiels No. 5 coal seam - 48" to 54" in thickness  
Dekoven No. 3 coal seam - 30" to 36" in thickness  
Davis No. 2 coal seam - 44" to 50" in thickness
  
- 7) RW31 - Consolidation Coal  
RW32 - Harlan booten  
RW33 - Harlan Booten  
RW34 - Harlan Booten  
RW35 - Raymond Elliot  
RW46 - Bethel Church - Mined Through  
RW47 - Carmen Crisp  
RW48 - Tenny Tarlton  
RW51 - Raymond Elliott  
RW52 - Downen Enterprises  
RW53 - Ersel Vinyard Heirs  
RW60 - Downen Enterprises - Mined Through
  
- 8) RW62 - Jimmy Cosner  
Gape Hollow Road  
Herod, Illinois 62947  
  
Depth - 140'  
  
Distance to Pit - 1200' (100' to Permit Line)
  
- 9) A study for the affects of the surface mining operation on the ground water, private water supplies, and public water supplies have been provided with each Illinois Department of Natural Resources permit application. See Permit No. 243, Permit No. 316, Permit No. 325 and Permit No. 343.

7 3 2 1 . / 0 1  
Due date : 9-7-01

# ILLINOIS FUEL COMPANY, LLC

P. O. Box 7  
920 Gape Hollow Road  
Herod, Illinois 62947  
Phone #618/275-4486  
Fax #618/275-4529

July 25, 2001

Mr. Bob Kerr  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P. O. Box 19276  
Springfield, Illinois 62794-9276

Re: NPDES Permit No. IL0064611

RECEIVED  
SPRINGFIELD REGION  
JUL 21 2001  
ENVIRONMENTAL PROTECTION AGENCY  
STATE OF ILLINOIS

Dear Mr. Kerr

Pursuant to the accompanying agreement, Illinois Fuel Company, LLC has acquired the Jader #4 Mine NPDES Permit No. IL 0064611 from Jader Coal Company, L. L. C. located in Saline County Illinois and is changing the name to the I-1 Mine.

This correspondence is notification that Illinois Fuel Company, LLC will abide by all conditions within the transferred permits and accept any fees associated with the permits. The date of the sale is noted on the attached agreement. The mine address will change to that in the letterhead and the corporate address is 1500 North Big Run Road, Ashland, KY: 41102.

Should you need any additional information or clarification, please contact me or Permit Manager, Gary Carr at the mine site.

Respectfully,  
For Illinois Fuel Company, LLC  
*Forrest A. Younker*  
Forrest A. Younker, P. E.  
Manager of Engineering

RECEIVED  
FEB 26 2002  
Environmental Protection Agency  
WPC-- Permit Log In

RECEIVED  
JUL 3 2001  
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
MARION REGIONAL OFFICE

AGREEMENT

This agreement entered into as of the 1<sup>st</sup> day of June, 2001, between Illinois Fuel Company, LLC, ("IFC") a Kentucky Limited Liability Corporation and Jader Coal Company, L. L. C., ("JCC"), an Illinois Limited Liability Corporation;

WHEREAS, the Illinois Environmental Protection Agency transferred to JCC a final NPDES permit for discharge; and

WHEREAS, JCC has transferred title and possession of the permitted premises to IFC and

WHEREAS, it is the desire of JCC to transfer all of its interest in said permit to IFC, said transfers to be effective as of June 1, 2001.

IT IS THEREFORE AGREED AS FOLLOWS:

1. JCC hereby transfers and assigns all of its right, title and interest in NPDES Permit No. IL0064611 issued by the Illinois Environmental Protection Agency, as of June 1, 2001.
2. IFC accepts said assignment, and agrees to accept responsibility for the obligations of JCC under the above described NPDES permit as of June 1, 2001.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

Illinois Fuel Company, L. L. C.

By Marion L. Price  
Title VICE-PRES.

Jader Coal Company, L. L. C.

By Magaret Ann Price  
Title Magaret Ann Price

JUL-31-01 TUE 10:26 AM IEPA SPFLD REGION

FAX NO. 2177868357

2001 13:30 FROM:RON DUNNIGAN

606-299-5092

TO: +16182754529

P. 002

JUN-07-01 08:55 FROM:IL Fuel Company LLC

+16182754529

T-460 P.02/10

F-064

# ILLINOIS FUEL COMPANY, LLC

I-1 Mine  
920 Gape Hollow Road  
Herod, Illinois 62947  
Phone #618/275-4486  
Fax #618/275-4529

June 4, 2001

Re: Permits, Grants, State Applications

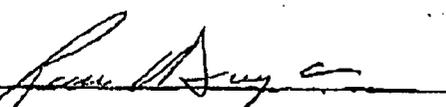
Ladies and Gentlemen:

I am the Secretary of Illinois Fuel Company, LLC, an Kentucky Limited Liability Corporation (IFC). Please be advised that the following individuals are each authorized to sign applications on behalf of IFC:

- A. JOHN C. SMITH, JR.
- B. RONNIE G. DUNNIGAN
- C. LENNIE JONES

Each of them has the authority, as IFC's authorized agent, to sign any and all applications necessary or desirable, in their judgement, to obtain, or cause the transfer of, any and all permits, grants, etc. in conjunction with the operation of IFC's mining operations in Saline County Illinois. The signature of them is sufficient to bind IFC.

Sincerely,  
Illinois Fuel Company, LLC

By 

Printed Name RONNIE G. DUNNIGAN, Secretary



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

2309 W. Main St., Suite 116, Marion, IL 62959

Thomas V. Skinner, Director

May 12, 1999

618/993-7200

Jader Fuel Company, Inc.  
P.O. Box 520  
Shawneetown, IL 62984

Re: Jader Fuel Company, Inc.  
Mine No. 4  
NPDES Permit No. IL0061166  
Final Permit (Modified After Public Notice)

Gentlemen:

Attached is the final NPDES Permit for your discharge. The Permit as issued covers discharge limitations, monitoring, and reporting requirements. The failure of you to meet any portion of the Permit could result in civil and/or criminal penalties. The Illinois Environmental Protection Agency is ready and willing to assist you in interpreting any of the conditions of the Permit as they relate specifically to your discharge.

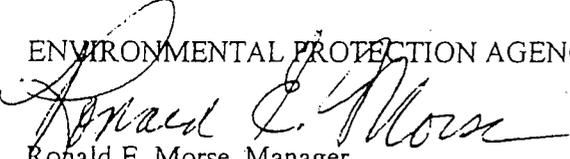
This Permit was modified after the public notice to incorporate groundwater monitoring for refuse disposal activities that was inadvertently omitted, and to reference previous Authorizations which have been replaced.

The Permit as issued is effective as of the date indicated on the first page of the Permit. You have the right to appeal any condition of the Permit to the Illinois Pollution Control Board within a 35 day period following the issuance date.

Should you have questions concerning the Permit, please contact Bob Kerr, P.E., at 217/786-6892.

Respectfully,

ENVIRONMENTAL PROTECTION AGENCY

  
Ronald E. Morse, Manager  
Mine Pollution Control Program  
Bureau of Water

REM:LDC:jkb/1256c/02-09-99

Enclosure: Final Permit

cc: IDNR/Office of Mines and Minerals/Land Reclamation/with Enclosure  
IDNR/Division of Water Resources/with Enclosure  
Marion Region/Mine Pollution Control Program/with Enclosure  
BOW/DWPC/CAS  
BOW/DWPC/Records

Exhibit D

NPDES Permit No. IL0061166

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue, East

P.O. Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Renewed NPDES Permit

Expiration Date: March 31, 2004

Issue Date: May 12, 1999

Effective Date: May 12, 1999

Name and Address of Permittee:

Jader Fuel Company, Inc.  
P.O. Box 520  
Shawneetown, IL 62984

Facility Name and Address:

Jader Fuel Company, Inc.  
Mine No. 4  
2675 Eagle Mine Road  
5 miles southwest of Junction, Illinois  
(Gallatin County)

Discharge Number and Name:

Acid Mine Drainage  
039

Alkaline Mine Drainage  
012, 016, 043, 044  
008, 009, 017, 018, 019,  
020, 040, 042

Reclamation Area Drainage  
014A

Stormwater Discharge  
001, 002, 003, 004, 010  
007

Receiving waters

Eagle Creek

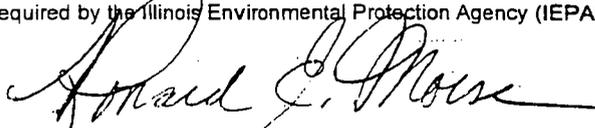
Eagle Creek  
Little Eagle Creek

Little Eagle Creek

Eagle Creek  
Little Eagle Creek

In compliance with the provisions of the Illinois Environmental Protection Act, Subtitle C and/or Subtitle D Rules and Regulations of the Illinois Pollution Control Board, and the Clean Water Act, the above-named permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the standard conditions and attachments herein.

Permittee is not authorized to discharge after the above expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit the proper application as required by the Illinois Environmental Protection Agency (IEPA) not later than 180 days prior to the expiration date.

  
Ronald E. Morse, Manager  
Mine Pollution Control Program  
Bureau of Water

REM:LDC:BK;jkb/1257c/02-09-99

NPDES Coal Mine Permit

NPDES Permit No. IL0061166

Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS		CONCENTRATION		SAMPLE FREQUENCY	SAMPLE TYPE
	lbs/day		LIMITS mg/l			
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		

From the effective date of this Permit until March 31, 2004 the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfall: 039 (Acid Mine Drainage)

PARAMETER	LOAD LIMITS (lbs/day)	CONCENTRATION LIMITS (mg/l)	SAMPLE FREQUENCY	SAMPLE TYPE
Flow (MGD)			Measure When Monitoring	
Total Suspended Solids		35.0 / 70.0	1/month	Grab
Iron (total)		3.5 / 7.0	1/month	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0		3/month	Grab
Alkalinity/ Acidity	Total acidity shall not exceed total alkalinity		1/month	Grab
Sulfates		3500	**	Grab
Chlorides		1000	**	Grab
Manganese (total)		2.0 / 4.0	1/month	Grab

\*\*Sample frequency shall be once a month until twelve samples have been collected; after which and upon written notification to the Agency, the sampling may cease, unless the Agency modifies the permit to require continued sampling at some frequency.

In addition to the above base flow sampling requirements, a grab sample of each discharge caused by the following precipitation event(s) shall be taken (for the following parameters) during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s).

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 1-year, 24-hour precipitation event, but less than or equal to the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
Settleable Solids	0.5 ml/l daily maximum
pH	6.0 - 9.0 at all times

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
pH	6.0 - 9.0 at all times

NPDES Coal Mine Permit  
 NPDES Permit No. IL0061166  
 Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS		CONCENTRATION		SAMPLE FREQUENCY	SAMPLE TYPE
	lbs/day		LIMITS mg/l			
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		

From the effective date of this Permit until March 31, 2004 the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfalls: 008, 009, 012, 016, 017, 018 (Alkaline Mine Drainage)  
 019, 020, 040, 043, 044

Flow (MGD)			Measure When Monitoring		
Total Suspended Solids		35.0	70.0	***	Grab
Iron (total)		3.5	7.0	***	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0			1/month	Grab
Alkalinity/ Acidity	Total acidity shall not exceed total alkalinity			1/month	Grab
Sulfates			3500	**	Grab
Chlorides			1000	**	Grab

\*\*Sample frequency shall be once a month until twelve samples have been collected; after which and upon written notification to the Agency, the sampling may cease, unless the Agency modifies the permit to require continued sampling at some frequency.

\*\*\*There shall be a minimum of nine (9) samples collected during the quarter when the pond is discharging. Of these 9 samples, a minimum of one sample each month shall be taken during base flow conditions. A "no flow" situation is not considered to be a sample of the discharge. A grab sample of each discharge caused by the following precipitation event(s) shall be taken for the following parameters during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s). The remaining three (3) samples may be taken from either base flow or during precipitation event.

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24-hour precipitation event (or snowmelt or equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
Settleable Solids	0.5 ml/l daily maximum
pH	6.0 - 9.0 at all times

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
pH	6.0 - 9.0 at all times

NPDES Coal Mine Permit  
 NPDES Permit No. IL0061166  
 Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Flow (MGD)					Measure When Monitoring	
Total Suspended Solids			35.0	70.0	***	Grab
Iron (total)			3.0	6.0	***	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0				1/month	Grab
Alkalinity/ Acidity	Total acidity shall not exceed total alkalinity				1/month	Grab
Sulfates				3500	**	Grab
Chlorides				1000	**	Grab

\*\*Sample frequency shall be once a month until twelve samples have been collected; after which and upon written notification to the Agency, the sampling may cease, unless the Agency modifies the permit to require continued sampling at some frequency.

\*\*\*There shall be a minimum of nine (9) samples collected during the quarter when the pond is discharging. Of these 9 samples, a minimum of one sample each month shall be taken during base flow conditions. A "no flow" situation is not considered to be a sample of the discharge. A grab sample of each discharge caused by the following precipitation event(s) shall be taken for the following parameters during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s). The remaining three (3) samples may be taken from either base flow or during precipitation event.

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24-hour precipitation event (or snowmelt or equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
Settleable Solids	0.5 ml/l daily maximum
pH	6.0 - 9.0 at all times

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
pH	6.0 - 9.0 at all times

NPDES Coal Mine Permit  
 NPDES Permit No. IL0061166  
 Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		

From the effective date of this Permit until March 31, 2004 the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfall: 014A (Reclamation Area Drainage)

PARAMETER	LOAD LIMITS lbs/day	CONCENTRATION LIMITS mg/l	SAMPLE FREQUENCY	SAMPLE TYPE
Flow (MGD)			Measure When Monitoring	
Settleable Solids		0.5 ml/l	1/month	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0		1/month	Grab

In addition to the above base flow sampling requirements, a grab sample of each discharge caused by the following precipitation event(s) shall be taken (for the following parameters) during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s).

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

Pollutant or Pollutant Property  
 pH

Effluent Limitations  
 6.0 - 9.0 at all times

NPDES Coal Mine Permit

NPDES Permit No. IL0061166

Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS		CONCENTRATION		SAMPLE FREQUENCY	SAMPLE TYPE
	lbs/day		LIMITS mg/l			
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		

Upon completion of Special Condition 8 and approval from the Agency, the effluent of the following discharges shall be monitored and limited at all times as follows:

Outfalls: 008, 009, 012, 016, 017, 018, (Reclamation Area Drainage)  
 019, 020, 040, 042, 043, 044

Flow (MGD)		Measure When Monitoring	
Settleable Solids		0.5 ml/l	1/month Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0		1/month Grab
Sulfates		3500	** Grab
Chlorides		1000	** Grab

\*\*Unless previously approved by the Agency to be reduced or ceased, sample frequency shall be once a month until twelve samples have been collected; after which, sample frequency shall be once a quarter.

In addition to the above base flow sampling requirements, a grab sample of each discharge caused by the following precipitation event(s) shall be taken (for the following parameters) during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s).

Any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the following limitations:

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
pH	6.0 - 9.0 at all times

NPDES Coal Mine Permit  
 NPDES Permit No. IL0061166  
 Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
From the effective date of this Permit until March 31, 2004 the effluent of the following discharge shall be monitored and limited at all times as follows:						
Outfalls: 001, 002, 003, 004, 007, 010 (Stormwater Discharge)						
Settleable Solids				0.5 ml/l	1/Year	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0				1/Year	Grab

Stormwater discharge monitoring is subject to the following reporting requirements:

Analysis of samples must be submitted with second quarter Discharge Monitoring Reports.

If discharges can be shown to be similar, a plan may be submitted by November 1 of each year preceding sampling to propose grouping of similar discharges and/or updated previously submitted groupings. If updating of a previously submitted plan is not necessary, a written notification to the Agency, indicating such is required. Upon approval from the Agency, one representative sample for each group may be submitted.

Annual stormwater monitoring is required for all discharges until final SMCRA bond is released and approval to cease such monitoring is obtained from the Agency.

NPDES Coal Mine Permit  
 NPDES Permit No. IL0061166  
 Effluent Limitations and Monitoring

PARAMETER	LOAD LIMITS lbs/day		CONCENTRATION LIMITS mg/l		SAMPLE FREQUENCY	SAMPLE TYPE
	30 DAY AVERAGE	DAILY MAXIMUM	30 DAY AVERAGE	DAILY MAXIMUM		
Settleable Solids				0.5 ml/l	1/Year	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0				1/Year	Grab

Upon completion of Special Condition 9 and approval from the Agency, the effluent of the following discharges shall be monitored and limited at all times as follows:

Outfall(s): 008, 009, 012, 014A, 016, 017, 018, (Stormwater Discharge)  
 019, 020, 040, 042, 043, 044

Stormwater discharge monitoring is subject to the following reporting requirements:

Analysis of samples must be submitted with second quarter Discharge Monitoring Reports.

If discharges can be shown to be similar, a plan may be submitted by November 1 of each year preceding sampling to propose grouping of similar discharges and/or updated previously submitted groupings. If updating of a previously submitted plan is not necessary, a written notification to the Agency, indicating such is required. Upon approval from the Agency, one representative sample for each group may be submitted.

Annual stormwater monitoring is required for all discharges until final SMCRA bond is released and approval to cease such monitoring is obtained from the Agency.

NPDES Permit No. IL0061166

Construction Authorization No. 0369-98

C.A. Date: February 9, 1999

Forrest A. Younker, P.E., Engineering Consultant

Authorization is hereby granted to the above designee to construct the mine and mine refuse area described as follows:

Reclamation and coal refuse disposal activities will be conducted in the areas described as follows:

<u>IDNR/OMM Permit No.</u>	<u>Area (acres)</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>County</u>
8	148.5	15, 16	T10S	R8E	Gallatin
9	2.4	15	T10S	R8E	Gallatin
11	164.8	16, 17	T10S	R8E	Gallatin
128	109.2	16	T10S	R8E	Gallatin
167	136.9	16	T10S	R8E	Gallatin
172	46.0	16, 17	T10S	R8E	Gallatin
192	209.9	16, 17	T10S	R8E	Gallatin
228	60.7	17, 18	T10S	R8E	Gallatin
252*	205.3	18, 19	T10S	R8E	Gallatin
267*	163.0	8, 9	T10S	R8E	Gallatin

\*Refuse disposal is approved only for final cut pits in OMM Permit Area Nos. 252 and 267.

Discharge classifications approved by this Permit are:

Outfalls 001, 002, 003, 004, 007 and 010 are reclassified Stormwater Discharges as proposed in Log Nos. 1316-97 and 1316-97-A.

Outfall 014A is reclassified as a reclamation area discharge as proposed in Log No. 1315-97.

Pond and Outfall 042, classified as alkaline mine drainage, was inadvertently omitted from previous approvals. Plans for this impoundment and discharge may be found in Log No. 7176-91.

Surface drainage is controlled by sedimentation ponds with monitoring points designated as follows:

<u>Discharge No.</u>	<u>IDNR/OMM Permit Area</u>	<u>Receiving Waters</u>	<u>Location (Section)</u>	<u>Classification</u>
001	8	Eagle Creek	15	Stormwater Discharge
002	8	Eagle Creek	15	Stormwater Discharge
003	8	Eagle Creek	15	Stormwater Discharge
004	128	Eagle Creek	16	Stormwater Discharge
007	8	Little Eagle Creek	15	Stormwater Discharge
008	128	Little Eagle Creek	16	Alkaline Mine Drainage
009	128	Little Eagle Creek	16	Alkaline Mine Drainage
010	128	Eagle Creek	16	Stormwater Discharge
012	167	Eagle Creek	16	Alkaline Mine Drainage
014A -	192	Little Eagle Creek	16	Reclamation Area Drainage
016	11	Eagle Creek	17	Alkaline Mine Drainage
017 -	192	Little Eagle Creek	17	Alkaline Mine Drainage
018 -	192	Little Eagle Creek	17	Alkaline Mine Drainage
019 -	192	Little Eagle Creek	16	Alkaline Mine Drainage
020	228	Little Eagle Creek	18	Alkaline Mine Drainage
039	252	Eagle Creek	18	Acid Mine Drainage
040	252	Little Eagle Creek	19	Alkaline Mine Drainage
042	252	Little Eagle Creek	19	Alkaline Mine Drainage
043	267	Eagle Creek	8	Alkaline Mine Drainage
044	267	Eagle Creek	9	Alkaline Mine Drainage

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Construction Authorization No. 0369-98  
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The following applications are hereby incorporated into this Permit.

Log No. 0206-98, OMM Permit No. 192, Insignificant Permit Revision (IPR) No. 31, and Log No. 0562-98, OMM Permit No. 192, Revision No. 1, for the construction of Permanent Diversion No. 21.

Log No. 0518-98, OMM Permit No. 252, IPR No. 10, for a land use change to increase the permanent impoundment area to 7.3 acres is incorporated into the abandonment plan. Temporary Pond 041 will not be built and will be deleted from this Permit as this OMM Permit area has been released from SMCRA bond.

Log No. 0369-98, application for NPDES Permit renewal, contains all abandonment plan maps which, with the exception of OMM Permit No. 252 area, Log No. 0518-98, and construction of Permanent Diversion No. 21, is considered the approved abandonment plan for all OMM Permit areas covered by this Permit.

The following applications were previously approved by Supplemental Construction Authorization, but are included in this permit for the record:

Dragline BE1150 may be parked as proposed in Log No. 3267-95, IPR No. 13 to OMM Permit No. 172. Shovel BE 1990 may be parked as proposed in Log no. 3271-95, IPR No. 25 to OMM Permit No. 11.

Coal refuse may be disposed in the final cut pit located in OMM Permit No. 267 as proposed in Log No. 4347-94, IPR No. 7, and Log No. 3156-95, IPR No. 8. Disposal of refuse in OMM Permit No. 252 was previously approved. Refuse disposal approved herein is subject to Condition No. 12.

Pursuant to Title 35 Ill. Adm. Code 406.203 the water quality standards of Title 35 Ill. Adm. Code 406.202 as they apply to sulfates, chlorides, total dissolved solids, iron and manganese shall not apply to discharges 008, 009, 012, 016, 017, 018, 019, 020, 040, 042, 043 and 044 subject to Condition 11.

The abandonment plan shall be executed and completed in accordance with Title 35 Ill. Adm. Code 405.109 as detailed in the log numbers referenced in Condition 3.

Any impounded water remaining upon abandonment shall meet the requirements of Title 35 Ill. Adm. Code 406.109 and 406.202.

This Construction Authorization replaces previous Construction Authorization No. 6159-92 and Supplemental Construction Authorization Nos. 6159-92-1 and 6159-92-2.

This Authorization is issued subject to the following Conditions. If such Conditions require additional or revised facilities, satisfactory engineering plan documents must be submitted to this Agency for review and approval to secure issuance of a Supplemental Authorization to Construct.

1. If any statement or representation is found to be incorrect, this permit may be revoked and the permittee thereupon waives all rights thereunder.
2. The issuance of this permit (a) shall not be considered as in any manner affecting the title of the premises upon which the mine or mine refuse area is to be located; (b) does not release the permittee from any liability for damage to person or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (c) does not take into consideration the structural stability of any units or parts of the project; and (d) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or with applicable local laws, regulations or ordinances.
3. Final plans, specifications, application and supporting documents as submitted by the person indicated on Page 1 as approved shall constitute part of this permit and are identified by the following log numbers in the records of the Illinois Environmental Protection Agency.

IDNR/OMM  
Permit Areas

Associated Log Nos.

8	6107-82, 9051-89, 5136-93, 4047-94, 4065-94, 4173-94, 3403-95, 0170-98
9	6107-82, 4046-94
11	8104-80, 7156-81, 6106-82, 6106-82-A, 6146-82, 1111-87, 8035-90, 8038-90 8194-90, 5058-93, 5209-93, 5326-93, 2093-96, 2119-96
128	4014-84, 3014-85, 3096-85, 3129-85, 3141-85, 2027-86, 2027-86-A, 2027-86-B, 9049-89, 4191-94, 2054-96

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167	3102-85, 554-88, 589-88, 637-88, 8073-90, 8157-90, 4066-94, 2023-96, 2251-96, 1258-97, 0562-98
172	3141-85, 2027-86, 7039-91
192	1038-87, 589-99, 9101-89, 8038-90, 8055-90, 8176-90, 6052-92, 5147-93, 5318-93, 4015-94, 2025-96, 2124-96, 1258-97, 0206-98
228	9050-89, 5303-93, 4045-94, 2035-96
252	7040-91, 7040-91-A, 7176-91, 6091-92, 5031-93, 4044-94, 4067-94, 2036-96, 0518-98
267	6057-92, 5039-93, 5315-93, 4049-94

4. There shall be no deviations from the approved plans and specifications unless revised plans, specifications and application shall first have been submitted to the Illinois Environmental Protection Agency and a supplemental permit issued.
5. The permit holder shall notify the Environmental Protection Agency (217/782-3637) immediately of an emergency at the mine or mine refuse area which causes or threatens to cause a sudden discharge of contaminants into the waters of Illinois and shall immediately undertake necessary corrective measures as required by Title 35 Ill. Adm. Code 405.111. (217/782-3637 for calls between the hours of 5:00 p.m. to 8:30 a.m. and on weekends.)
6. The termination of an NPDES discharge monitoring point or cessation of monitoring of an NPDES discharge is not authorized by this Agency until the permittee submits adequate justification to show what alternate treatment is provided or that untreated drainage will meet applicable effluent and water quality standards.
7. Initial construction activities in areas to be disturbed shall be for collection and treatment facilities only. Prior to the start of other activities, surface drainage controls shall be constructed and operated to avoid violations of the Act or Subtitle D. At such time as runoff water is collected in the sedimentation pond, a sample shall be collected and analyzed, with the results sent to this Agency to show compliance with the applicable effluent and water quality standards. Should additional treatment be necessary to meet these standards, a Supplemental Permit must be obtained. Discharge from this pond is not allowed unless applicable effluent and water quality standards are met.
8. This Agency must be informed in writing and an application submitted if drainage, which was previously classified as alkaline (pH greater than 6.0), becomes acid (pH less than 6.0) or ferruginous (base flow with an iron concentration greater than 10 mg/l). The type of drainage reporting to the basin should be reclassified in a manner consistent with the applicable rule of Title 35 Ill. Adm. Code 406 as amended in R84-29 at 11 Ill. Reg. 12899. The application should discuss the treatment method and demonstrate how the discharge will meet the applicable standards.
9. A permittee has the obligation to add a settling aid if necessary to meet the suspended solids or settleable solids effluent standards. The selection of a settling aid and the application practice shall be in accordance with a. or b. below.
  - a. Alum ( $Al_2(SO_4)_3$ ), hydrated lime ( $Ca(OH)_2$ ), soda ash ( $Na_2CO_3$ ), alkaline pit pumpage, acetylene production by-product (tested for impurities), and ground limestone are acceptable settling aids and are hereby permitted for alkaline mine drainage sedimentation ponds.
  - b. Any other settling aids such as commercial flocculents and coagulants are permitted only on prior approval from the Agency. To obtain approval a permittee must demonstrate in writing to the Agency that such use will not cause a violation of the toxic substances standard of Title 35 Ill. Adm. Code 302.210 or of the appropriate effluent and water quality standards of Title 35 Ill. Adm. Code parts 302, 304, and 406.
10. A general plan for the nature and disposition of all liquids used to drill boreholes shall be filed with this Agency prior to any such operation. This plan should be filed at such time that the operator becomes aware of the need to drill unless the plan of operation was contained in a previously approved application. After settling, recirculation water which meets the requirements of Title 35 Ill. Adm. Code 406.106 and 406.202, may be discharged. The use of additives in the recirculation water which require treatment other than settling to comply with the Act will require a revised permit.

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11. Any of the following shall be a violation of the provisions required under Title 35 Ill. Adm. Code 406.203(c):

- A. It is demonstrated that an adverse effect on the environment in and around the receiving stream has occurred or is likely to occur.
- B. It is demonstrated that the discharge has adversely affected or is likely to adversely affect any public water supply.
- C. The Agency determines the permittee is not utilizing good mining practices which are applicable in order to minimize the discharge of total dissolved solids, chloride, sulfate, iron and manganese. The following concentrations are presumed achievable according to information in the application, and demonstrate the utilization of good mining practices. The Agency may require additional information to determine compliance with Title 35 Ill. Adm. Code 406.204 when they are exceeded.

<u>Outfall</u>	<u>Chloride in mg/l</u>	<u>Sulfate in mg/l</u>	<u>Other</u>
008, 009, 012, 016, 020	500	1000	
017, 018, 019	500	2500	
039, 040, 042, 043, 044	500	500	

12. All groundwater monitoring reports as required by IDNR/OMM for Well Nos. 26 and 27 shall also be submitted in duplicate to this Agency at the following address:

Illinois Environmental Protection Agency  
2309 West Main St., Suite 116  
Marion, Illinois 62959

Upon completion of active refuse disposal within OMM Permit No. 252 and 267 areas, groundwater monitoring will be reevaluated for post-mining monitoring requirements.

NPDES Permit No. 0061166

Special Conditions

Special Condition No. 1: No effluent from any mine related facility area under this permit shall, alone or in combination with other sources, cause a violation of any applicable water quality standard as set out in the Illinois Pollution Control Board Rules and Regulations, Chapter 1, Subtitle C: Water Pollution, unless specifically exempted under Rule 406.203 of Chapter 1, Subtitle D, Mine Related Water Pollution.

Special Condition No. 2: Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

Special Condition No. 3: The permittee shall record monitoring results on Discharge Monitoring Report Forms using one such form for each discharge each month.

Discharge Monitoring Reports shall be mailed to the IEPA at the following address:

Illinois Environmental Protection Agency  
Division of Water Pollution Control  
1021 North Grand Ave., East  
P.O. Box 19276  
Springfield, IL 62794-9276

Special Condition No. 4: The completed Discharge Monitoring Report form shall be retained by the permittee for a period of three months and shall be mailed and received by the IEPA in accordance with the following schedule, unless otherwise specified by the permitting authority.

Period	Received by IEPA
February, March, April	May 15
May, June, July	August 15
August, September, October	November 15
November, December, January	February 15

Special Condition No. 5: If an applicable effluent standard or limitation is promulgated under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act and that effluent standard or limitation is more stringent than any effluent limitation in the permit or controls a pollutant not limited in the NPDES Permit, the Agency shall revise or modify the permit in accordance with the more stringent standard or prohibition and shall so notify the permittee.

Special Condition No. 6: The permittee shall notify the Agency in writing by certified mail within thirty days of abandonment, cessation, or suspension of active mining for thirty days or more unless caused by a labor dispute. During cessation or suspension of active mining, whether caused by a labor dispute or not, the permittee shall provide whatever interim impoundment, drainage diversion, and wastewater treatment is necessary to avoid violations of the Act or Subtitle D, Chapter 1.

Special Condition No. 7: Plans must be submitted to and approved by this Agency prior to construction of a sedimentation pond. At such time as runoff water is collected in the sedimentation pond, a sample shall be collected and analyzed for the parameters designated as 1M-15M under Part 5-C of Form 2C and the effluent parameters designated herein, with the results sent to this Agency to show compliance with the applicable effluent and water quality standards. Should additional treatment be necessary to meet these standards, a Supplemental Permit must also be obtained. Discharge from a pond is not allowed unless applicable effluent and water quality standards are met.

Special Condition No. 8: The special reclamation area effluent standards of 35 Ill. Adm. Code 406.109 apply only on approval from the Agency. To obtain approval, a request form and supporting documentation shall be submitted 45 days prior to the month that the permittee wishes the discharge be classified as a reclamation area discharge. The Agency will notify the permittee upon approval of the change.

Special Condition No. 9: The special stormwater effluent standards apply only on approval from the Agency. To obtain approval, a request with supporting documentation shall be submitted 45 days prior to the month that the permittee proposes the discharge to be classified as a stormwater discharge. The documentation supporting the request shall include analysis results indicating the discharge will consistently comply with reclamation area discharge effluent standards. The Agency will notify the permittee upon approval of the change.

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Special Conditions

Special Condition No. 10: Annual storm water monitoring is required for all discharges not reporting to a sediment basin until Final SMCRA Bond is released and approval to cease such monitoring is obtained from the Agency.

- A. Each discharge must be monitored for pH and settleable solids annually.
- B. Analysis of samples must be submitted with second quarter Discharge Monitoring Reports. A map with discharge locations must be included in this submittal.
- C. If discharges can be shown to be similar, a plan may be submitted by November 1 of each year preceding sampling to propose grouping of similar discharges and/or update previously submitted groupings. If updating of a previously submitted plan is not necessary, a written notification to the Agency indicating such is required. Upon approval from the Agency, one representative sample for each group may be submitted.

LDC:jkb/1257c/02-09-99

ATTACHMENT H

Standard Conditions

Definitions

**Act** means the Illinois Environmental Protection Act, Ch. 111 1/2 Ill. Rev. Stat., Sec. 1001-1052 as Amended.

**Agency** means the Illinois Environmental Protection Agency.

**Board** means the Illinois Pollution Control Board.

**Clean Water Act** (formerly referred to as the Federal Water Pollution Control Act) means Pub. L. 92-500, as amended, 33 U.S.C. 1251 et seq.

**NPDES** (National Pollutant Discharge Elimination System) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318 and 405 of the Clean Water Act.

**USEPA** means the United States Environmental Protection Agency.

**Daily Discharge** means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

**Maximum Daily Discharge Limitation** (daily maximum) means the highest allowable daily discharge.

**Average Monthly Discharge Limitation** (30 day average) means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

**Average Weekly Discharge Limitation** (7 day average) means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

**Best Management Practices** (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**Aliquot** means a sample of specified volume used to make up a total composite sample.

**Grab Sample** means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes.

**24 Hour Composite Sample** means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24-hour period.

**8 Hour Composite Sample** means a combination of at least 3 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over an 8-hour period.

**Flow Proportional Composite Sample** means a combination of sample aliquots of at least 100 milliliters collected at periodic intervals such that either the time interval between each aliquot or the volume of each aliquot is proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot.

- (1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.
- (2) **Duty to reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.
- (3) **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (4) **Duty to mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- (5) **Proper operation and maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.

- (6) **Permit actions.** This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- (7) **Property rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.
- (8) **Duty to provide information.** The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency, upon request, copies of records required to be kept by this permit.
- (9) **Inspection and entry.** The permittee shall allow an authorized representative of the Agency, upon the presentation of credentials and other documents as may be required by law, to:
  - (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
  - (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
  - (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.
- (10) **Monitoring and records.**
  - (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
  - (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. This period may be extended by request of the Agency at any time.
  - (c) Records of monitoring information shall include:
    - (1) The date, exact place, and time of sampling or measurements;
    - (2) The individual(s) who performed the sampling or measurements;
    - (3) The date(s) analyses were performed;
    - (4) The individual(s) who performed the analyses;
    - (5) The analytical techniques or methods used; and
    - (6) The results of such analyses.
  - (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.
- (11) **Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.
  - (a) **Application.** All permit applications shall be signed as follows:
    - (1) For a corporation, by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;
    - (2) For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
    - (3) For a municipality, State, Federal, or other public agency, by either a principal executive officer or ranking elected official.
  - (b) **Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
    - (1) The authorization is made in writing by a person described in paragraph (a); and
    - (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
    - (3) The written authorization is submitted to the Agency.

(c) **Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.

(12) **Reporting requirements.**

(a) **Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility.

(b) **Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

(c) **Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

(d) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.

(1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).

(2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

(3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.

(a) **Twenty-four hour reporting.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The following shall be included as information which must be reported within 24 hours:

(1) Any unanticipated bypass which exceeds any effluent limitation in the permit;

(2) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit to be reported within 24 hours;

The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

(f) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12)(c), (d), or (e), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12)(e).

(g) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.

(13) **Transfer of permits.** A permit may be automatically transferred to a new permittee if:

(a) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;

(b) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage and liability between the current and new permittees; and

(c) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.

(14) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:

(a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:

(1) One hundred micrograms per liter (100 ug/l);

(2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile, five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony.

(3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or

(4) The level established by the Agency in this permit.

(b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.

(15) All Publicly Owned Treatment Works (POTW) must provide adequate notice to the Agency of the following:

(a) Any new introduction of pollutants into that POTW from an indirect discharger which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and

(b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.

(c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

(16) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:

(1) User charges pursuant to Section 204(b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;

(2) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and

(3) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.

(17) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.

(18) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.

(19) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.

(20) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, or 308 of the Clean Water Act is subject to a fine of not less than \$2,500, nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both.

(21) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

(22) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit shall, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.

(23) Collected screenings, slurrings, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.

(24) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.

(25) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board.

(26) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.

Electronic Filing -  
Received, Clerk's Office: 00  
Due date 11/18/2014 4-14-00

# JADER COAL COMPANY., L. L. C.

P. O. Box 40  
Herod, Illinois 62947  
Phone #618/275-4486  
Fax #618/275-4529

March 1, 2000

Mr. Bob Kerr  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P. O. Box 19276  
Springfield, Illinois 62794-9276

Re: NPDES No. IL0061166

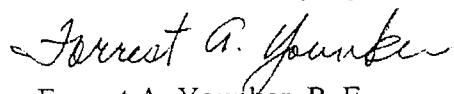
Dear Mr. Kerr:

Pursuant to the subsequent agreement, Jader Coal Company, L. L. C. acquired the Jader #4 Mine located in Saline County and the related permits from Jader Fuel Co., Inc and transferred NPDES Permit No. IL0064611. On this date Jader Coal Company, L. L. C. will additionally be assuming responsibility for the Jader Fuel properties in Gallatin County, therefore will assume responsibility for NPDES Permit No. IL0061166 per the attached agreement.

This correspondence is notification that Jader Coal Company, L. L. C. will abide by all conditions within the transferred permits and accept any fees associated with the permits. The date and sale is noted on the attached agreement. The corporate area address will change to that in the letterhead as the office has been moved to the mine site.

Should you need any additional information or clarification please contact Forrest Younker, P. E., or Gary Carr at the engineering office (618-275-4486).

Respectfully,  
For Jader Coal Company, L. L. C.



Forrest A. Younker, P. E.  
Manager of Operations and Engineering

MAR 13 2000  
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
MANAGER OPERATIONS OFFICE

RECEIVED  
SPRINGFIELD REGION  
MAR 08 2000  
ENVIRONMENTAL PROTECTION AGENCY  
STATE OF ILLINOIS

AGREEMENT

This agreement entered into as of the 1st day of March, 2000, between Jader Fuels Co., Inc., ("JFCI") a Delaware Corporation and Jader Coal Company, L. L. C., ("JCC"), an Illinois Limited Liability Corporation;

WHEREAS, the Illinois Environmental Protection Agency issued to JFCI a final NPDES permit for discharge; and

WHEREAS, JFCI has transferred title and possession of the permitted premises to JCC and

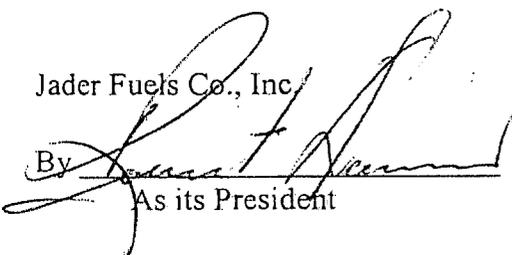
WHEREAS, it is the desire of JFCI to transfer all of its interest in said permit to JCC, said transfers to be effective as of March 1, 2000.

IT IS THEREFORE AGREED AS FOLLOWS:

1. JFCI hereby transfers and assigns all of its right, title and interest in NPDES Permit No. IL0061166 issued by the Illinois Environmental Protection Agency, as of March 1, 2000.
2. JCC accepts said assignment, and agrees to accept responsibility for the obligations of JFCI under the above described NPDES permit as of March 1, 2000.

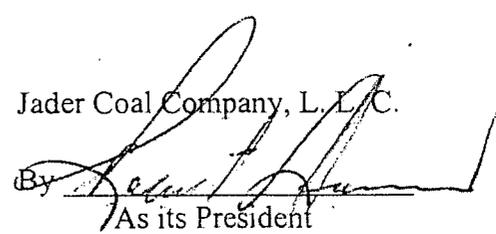
IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

Jader Fuels Co., Inc.

By 

As its President

Jader Coal Company, L. L. C.

By 

As its President

**Jader Coal Company, L.L.C.**  
117 South Edison Street  
Shawneetown, IL 62984

Illinois Department of Environmental Protection

RE: Application for Transfer of Air Permits

Ladies and Gentlemen:

I am the acting Secretary of Megawatt Management, Inc., an Illinois corporation, a duly authorized Manager of Jader Coal Company, L.L.C., an Illinois limited liability company (the "Company"). Please be advised that the following individuals are each authorized to sign applications on behalf of the Company:

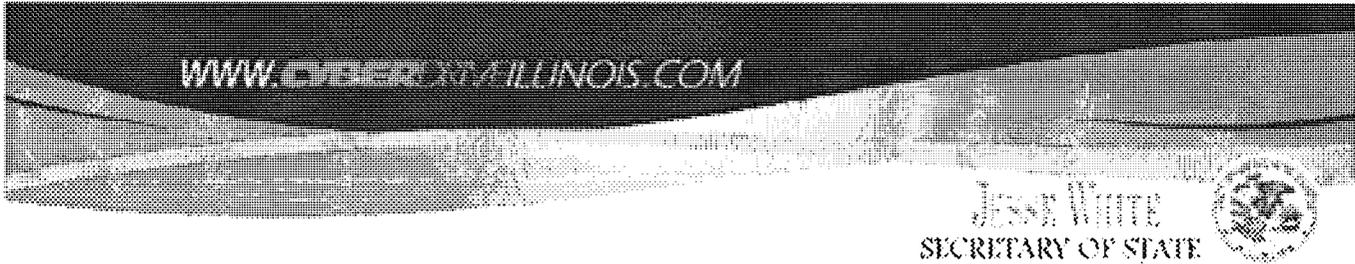
1. Robert C. Downen
2. Forrest Younker

Each of them has the authority, as the Company's authorized agent, to sign any and all applications necessary or desirable, in the judgment of either, to obtain, or cause the transfer of, any and all permits in conjunction with the operation of the Company's mining operations in Saline and/or Gallatin Counties, Illinois. The signature of either of them is sufficient to bind the Company.

Yours most sincerely

Megawatt Management, Inc.

By: Juliette Murray  
Juliette S. Murray, Secretary



**LLC FILE DETAIL REPORT**

<b>Entity Name</b>	JADER COAL COMPANY, L.L.C.	<b>File Number</b>	00223158
<b>Status</b>	INVOLUNTARY DISSOLUTION	<b>On</b>	02/28/2003
<b>Entity Type</b>	LLC	<b>Type of LLC</b>	Domestic
<b>File Date</b>	09/21/1998	<b>Jurisdiction</b>	IL
<b>Agent Name</b>	TODD LAMBERT	<b>Agent Change Date</b>	10/31/2001
<b>Agent Street Address</b>	317 EAST POPLAR POBOX 486	<b>Principal Office</b>	920 GAPE HOLLOWRD PO BOX 40 HEROD, IL 62947
<b>Agent City</b>	HARRISBURG	<b>Management Type</b>	MGR <a href="#">View</a>
<b>Agent Zip</b>	62946	<b>Duration</b>	PERPETUAL
<b>Annual Report Filing Date</b>	00/00/0000	<b>For Year</b>	2002
<b>Series Name</b>	NOT AUTHORIZED TO ESTABLISH SERIES		

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Exhibit F



920 Gape Hollow Road • Herod, IL 62947  
Phone: 618-275-4486 • Fax: 618-275-4529

August 6, 2003.

Illinois Environmental Protection Agency  
Mine Pollution Control Program  
Bureau of Water  
2309 West Main Street, Suite 116  
Marion, Illinois 62959

Attention: Mr. Ron Morse

Re: Renewal of NPDES Permit No. IL0061166

Please find enclosed the original signature and (2) two copies of the necessary documents to renew NPDES Permit No. IL0061166 held by Jader Coal Company, LLC in Gallatin County Illinois. Following the acquisition of Jader Coal's operations in Saline County the Illinois Fuel Company's I-1 Mine Engineering Department have continued to gather water samples and do necessary paperwork for the Jader Coal NPDES Permit.

Should you have any questions or need any clarification, please contact Illinois Fuel Company's Permit Manager Gary Carr or me.

Respectfully,

A handwritten signature in cursive script that reads 'Forrest A. Younker'.

Forrest A. Younker, P. E.  
IFC Manager of Engineering

Copy: File  
Jader Coal Company, LLC

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EGW/WPC/PERMIT SECTION

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IL Environmental Protection Agency  
MARION REGIONAL OFFICE

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
WATERSHED MANAGEMENT SECTION  
BUREAU OF WATER

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APPLICATION FOR MINE RELATED POLLUTION CONTROL PERMIT WPC-PS-MW  
AUG 12 2003

Environmental Protection Agency  
WPC--Permit Log In

1. NAME AND LOCATION:

1.1 Applicant is a (check one)

sole proprietorship  joint venture  partnership, or  corporation

1.2 Name of Applicant Jader Coal Company, L. L. C.  
Street Address 1534 Starks Building Phone (502) 584-6022  
City Louisville State Kentucky Zip Code 40202

1.3 Mine Name Jader No. 4 Mine Phone None  
Local Mine Address 2675 Eagle Mine Lane  
City Junction State Illinois Zip Code 62954

1.4 Local Contact Person Gary E. Carr  
Street Address 920 Gape Hollow Road Phone (618) 275-4486  
City Herod State Illinois Zip Code 62947

1.5 Mine Location

1.5.1 8, 9, 15, 16, 17, 18, & 19 10 South 8 East 3<sup>rd</sup> Gallatin  
Section Township Range PM County

1.5.2 Name, distance, and direction of nearest incorporated town 5.6 miles southeast of Equality, Illinois

1.5.3 Other location information \_\_\_\_\_

2. BRIEF DESCRIPTION OF PROJECT OR FACILITIES COVERED BY THIS APPLICATION:

Strip Mining Operation

3. THIS IS AN APPLICATION FOR:

Opening ( ) Reopening ( ) Operating ( ) Abandoning ( ) Supplemental Permit for a mine ( ) or for a mine refuse area ( ) Renewal (X)

4. DOCUMENTS BEING SUBMITTED:

4.1 Construction, Opening or Reopening a Mine MA X and NPDES Forms  
Operating a Mine MB X  
Mine Refuse Disposal MC X 1 General X  
Abandonment of a Mine MD X  
Discharge Location and Characteristics ME X 2C X

4.2 List of Other Documents Submitted:

Location Map - Jader Mine No. 4  
Drainage Maps - Permit No.'s 8, 9, 11, 128, 167, 172, 192, 228, 252 & 267  
Abandonment Maps (Post Mining Reclamation Map) Permits listed on previous line  
Hydrogeologic Map

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2 Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied.

5. CERTIFICATIONS AND APPROVALS:

5.1 Statement and Certification by Engineer (When required by the Illinois Professional Engineering Act, Ill. Rev. Stat 1979 ch. 111, par 510 seq.)

In my professional judgment, the plans and specifications submitted as part of this application describe an operation which will meet all applicable effluent standards of Title 35, Subchapter D: Mine Related Water Pollution. I certify that I am familiar with all of the plans, specifications, reports, maps submitted as part of this application and that said plans, etc. are accurate insofar as they represent existing conditions.

ENGINEER Forrest A. Younker REGISTRATION NUMBER 037856

FIRM \_\_\_\_\_ PHONE 618-275-4486

STREET ADDRESS 920 Gape Hollow Road, P. O. Box 7

CITY Herod STATE Illinois Zip Code 62947

DATE July 28, 2003 SIGNATURE Forrest A. Younker

SEAL

5.2 CERTIFICATION BY APPLICANT

We have read and thoroughly understand the condition and requirements of this permit application, certify that the information contained herein is true and correct, and agree to conform to the permit conditions and other applicable requirements of the Illinois Environmental Protection Agency. It is understood that the opening, reopening, or operation of the mine or mine refuse area hereunder, after the permit is granted, shall constitute acceptance by the applicant of any special conditions that may be placed hereon by the Illinois Environmental Protection Agency.

In addition, I/We hereby certify that (a) I/We have secured all necessary zoning approvals from the unit of local government having zoning jurisdiction over the proposed facility, or (b) that said facility complies with local zoning requirements and further approval is not required, or (c) no unit of local government has zoning jurisdiction over the proposed facility.

Date 8-1-03 Authorized Signature(s) Siegel

Title(s) John Siegel  
President

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2 Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied.

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WATERSHED MANAGEMENT SECTION  
BUREAU OF WATER

SCHEDULE MA: CONSTRUCTION, OPENING, OR REOPENING A MINE

1. Name of Mine: Jader Mine No. 4 Mineral Deposit to be Mined Coal
2. Attach a description of proposed construction, proposed mining operations, mining equipment, pollution control equipment, and any facilities for the control of drainage from the affected land. See Attachment No. 1
3. Proposed method for disposal of overburden: The mining operation on this permit area has been completed. The final cuts on Permit No. 252 and Permit No. 267 were being filled with mine refuse. Non-toxic material from nearby will be used to cover the mine refuse.
4. Proposed method for disposal of mine refuse: Since mining operations have ceased, no refuse is being placed in the final cuts on Permit No. 252 or Permit No. 267.
5. Proposed method for disposal of slurry from processing operations: The slurry from the coal processing plant was mixed with the coarse refuse and placed on the previously noted permits.
6. For Underground Mining: Nature of Shaft Excavation Material: N/A
7. Attach detailed drawings and specifications for any treatment works for process wastewater or pollution control facilities such as settling ponds for runoff control. Provide runoff calculations and pond capacities. See Attachment No. 1
8. Will the proposed operation have any discharges? (X) Yes ( ) No  
If yes, submit Schedule ME, if no, describe below how "no discharge" will be accomplished. \_\_\_\_\_
9. Describe the existing land condition, its present use and the environmental condition of the area to be affected by mining. \_\_\_\_\_  
See Attachment No. 1
10. Describe existing surface water within or adjacent to the mine area and the condition of any natural watercourse. \_\_\_\_\_  
See Attachment No. 1
11. Describe the extent to which the operator plans to direct, redirect or dam any waterway on all affected land. The surface runoff will be directed to the sediment ponds
12. Discuss proposed means of avoiding air, land, and water pollution at this site when opening the mine. All of the surface water runoff passes through surface ponds prior to discharge
13. Submit all boring logs from boring drilled at the site to describe the nature of underlying mineral deposits and any overburden. See Attachment No. 1

\*Air pollution control devices may require a separate permit from the Division of Air Pollution Control.

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2 Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied.

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
WATERSHED MANAGEMENT SECTION  
BUREAU OF WATER

SCHEDULE MB: OPERATING A MINE

1. Name of Mine: Jader Mine No. 4
2. Provide a description of basic mine operations and facilities. Include processing plants, specifications of settling ponds, pit pumps and describe how drainage from any processing areas will be controlled. The permit area was being utilized by a Coal Strip Mining Operation that is no longer active. The surface water runoff is directed to sediment ponds
3. Method of Mining: Strip Mining Operation  
 Surface Mining:  
 Depth of Overburden Varies from 40' to 150' Nature of Overburden Sandstone, shale, slate and fireclay  
 Mineral Deposit to be Mined See Attachment No. 2 Thickness See Attachment No. 2  
 Acreage Mined Per Year 48 Expected Life of Mine Mining Completed - N/A  
 Total Acreage of Mine Area 1103  
 Underground Mining:  
 Nature of Shaft Excavation Material N/A
4. List possible flooded or abandoned deep mines which are near to or may be encountered in the affected land (Also show on map) Green Hill Slope Mine, Lovilia Mine No. 5, and Sugar Camp Coal - Eagle Valley Mine
5. List underground water resources which are within or which directly receive drainage from the affected land. N/A
6. List Public Water Supplies within ten miles of the affected land.  

Name	Type	Location & Distance from Mine
a. <u>Shawneetown Water Dept.</u>	<u>Well</u>	<u>Shawneetown - 8.5 miles northeast</u>
b. <u>Equality Water Dept.</u>	<u>Well</u>	<u>Junction - 5.7 miles northeast</u>
c. <u>Saline Valley Conservancy District</u>	<u>Well</u>	<u>Junction - 7.0 miles northeast</u>
d. <u>Hardin County Water District</u>	<u>Well</u>	<u>Junction - 7.0 miles northeast</u>
e.		
f.		
7. List here and show on a map all private water supplies on or within one-mile radius of the affected land.  

a. <u>See Attachment No. 2</u>	e. _____
b. _____	f. _____
c. _____	g. _____
d. _____	h. _____
8. The Illinois Environmental Protection Act (Sec. 14.2) requires minimum setback zones regarding the location of mines to water supply wells. This zone may extend to 400 feet for wells in certain geologic formations. Identify all wells within 400 feet of the quarry or pit and specify the ownership, depth and distance to each.  
See Attachment No. 2
9. Provide adequate hydrogeologic data and discuss any affects the mine will have on any water supply listed in 6, 7, or 8.  
See Attachment No. 2
10. Will the proposed operation have any discharges? ( X ) Yes ( ) No  
 If yes, submit Schedule ME and NPDES application forms-1 General and 2C for an NPDES permit to discharge to surface waters. If no, describe below how no discharge will be accomplished \_\_\_\_\_

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2 Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
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BUREAU OF WATER  
SCHEDULE MC: MINE REFUSE DISPOSAL

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1. Name of Mine Jader Mine No. 4
2. Provide a narrative description of the proposed refuse disposal plan.  
Refuse was placed in the pits on Permit No. 252 and Permit No. 267 until the proposed elevation was reached. The Refuse will be covered with two feet of non-toxic overburden, then 40" of sub-soil and 8" of topsoil
  - a. Nature of Refuse Coarse Refuse  
(  ) Acid Producing      (  ) Non-acid Producing
  - b. Nature of subsoil material in disposal area: The soil types in the area are as follows: Hosmer Silt Loam, Wakeland Silt Loam, and Belknap Silt Loam
  - c. Source and type of cover material: Stockpiled sub-soil and topsoil from strip mining operations
  - d. Provide engineering details and detailed drawings of the site and the method of disposal. Describe frequency and thickness of cover, also discuss the proposed method of preventing pollutional drainage from the refuse area.
3. Slurry (Readily Pumpable material)
  - a. Nature of Slurry: The slurry fines are mixed with the coarse refuse  
(  ) Acid Producing      (  ) Non-acid Producing
  - b. Nature of subsoil material in disposal area: See 2(b) above
  - c. Narrative description of method of disposal: See 2(b) above
  - d. Provide engineering details and detailed drawings of the site and the method of disposal. Describe frequency and thickness of cover, also discuss the proposed method of preventing pollutional drainage from the refuse area.

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2 Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied.

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WATERSHED MANAGEMENT SECTION  
BUREAU OF WATER  
SCHEDULE MD: ABANDONMENT OF MINE

Environmental Protection Agency  
WPC--Permit Log In

- 1. Name of Mine: Jader Mine No. 4
- 2. Does your entire mine or mine refuse area require a permit under the Illinois Department of Mines and Minerals "Surface-Mined Land Conservation and Reclamation Act" (X) Yes ( ) No

2.1 If yes, indicate the most recent permit number(s) and date(s)

Permit Number(s)	<u>8, 9, 11, 128, 167, 172,</u>	Date(s)	<u>No. 8 - 12/6/84, No. 9 - 2/15/85, No. 11 - 7/9/85</u>
	<u>192, 228, 252, and 267</u>		<u>No. 128 - 9/15/84, No. 167 - 4/10/86, No. 172 - 8/27/86</u>
			<u>No. 192 - 9/25/87, No. 228 - 12/29/89, No. 252 - 11/14/91</u>
			<u>No. 2267 - 1/20/93</u>

2.2 If no for entire mine area, complete the following for those areas not covered under above permit(s) for which you are requesting a permit from IEPA, provide acreage figures for each parcel.

a. Ownership of affected (surface) lands

Landowner and Address

Description of property (location and acreage)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Ownership of Minerals

Description of working agreements made between parties

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. Provide a proposed abandonment plan for the subject facility. Section 405.109 of Title 35, Subtitle D: Mine Related Water Pollution requires all mine permits to include an abandonment plan which will ensure permanent avoidance of water and air pollution. This plan shall include a listing of discharges which will remain following abandonment and describe how these discharges will be controlled to prevent violation of the Environmental Protection Act and Subtitle D. Provide an estimate of the water quality of any impoundments remaining as part of the abandonment plan. Abandonment plans should include details of proposed cleanup procedures, removal of stockpiled material, the anticipated future land and vegetation plan for the affected land and an estimate of the time required to complete the proposed abandonment plan. The permittee shall notify the Agency in writing by certified mail within 30 days of abandonment. The permitted abandonment plan shall be executed and completed within the year of abandonment unless otherwise approved by the Agency.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2 Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied.

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Environmental Protection Agency  
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SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS

1. Name of Mine: Jader Mine No. 4

Discharge Number	Quarter Section	Section	Township	Range	County
001	NW1/4 NE1/4	15	10 South	8 East	Gallatin
002	NE1/4 NW1/4	15	10 South	8 East	Gallatin
003	NW1/4 NW1/4	15	10 South	8 East	Gallatin

Receiving Stream	Drainage Ditch	Drainage Ditch	Drainage Ditch
Tributary To	Little Eagle Creek	Eagle Creek	Eagle Creek
Tributary To	Eagle Creek	Saline River	Saline River
Tributary To	Saline River	Ohio River	Ohio River

4. Average Flow (gpd) of Discharge \_\_\_\_\_ Max. Flow (gpd) of Discharge \_\_\_\_\_  
 Discharge occurs: all year \_\_\_\_\_ During Rain Events \_\_\_\_\_  
 month(s) \_\_\_\_\_  
 days per week \_\_\_\_\_

Sample Type (specify composite, grab, etc.)	12/82 to 7/03 grab	1/84 to 7/03 grab	1/84 to 7/03 grab
Acidity (mg/l)	12	11	11
Alkalinity (mg/l)	26	38	21
Ammonia Nitrogen (as N)(mg/l)			
Fluoride (mg/l)			
Iron (mg/l)	1.64	2.07	0.93
Lead (mg/l)			
Manganese (mg/l)	0.27	0.23	0.65
pH (range)	6.7	7.0	6.9
Sulfate (mg/l)	105	306	226
Total Dissolved Solids (mg/l)			
Total Suspended Solids (mg/l)	26	63	22
Zinc (mg/l)			

Analysis Performed By: Bar Lab, Harrisburg, Illinois Date: \_\_\_\_\_

Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits, and pumps conveying the discharge water from its source to the discharge point.

Discharge 001, discharge structure - 12 inch plastic pipe, surface water from reclaimed area; Discharge 002, discharge structure rip-rap spillway, surface water from reclaimed area; Discharge 003, discharge structure rip-rap spillway, surface water from reclaimed area.

Has an NPDES Permit Application been submitted for the above discharge? ( X ) Yes ( ) No

NPDES application forms 1 General and 2C must be submitted with WPC-PS\_MW and the appropriate schedules and maps for issuance of an NPDES permit with a construction authorization to discharge to surface waters.

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2 Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied

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 BUREAU OF WATER

SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS

Environmental Protection Agency  
 WPC--Permit Log In

1. Name of Mine: Jader Mine No. 4

Discharge Number	Quarter Section	Section	Township	Range	County
004	NE1/4 NE1/4	16	10 South	8 East	Gallatin
007	NW1/4 NW1/4	15	10 South	8 East	Gallatin
008	SW1/4 NE1/4	16	10 South	8 East	Gallatin

Receiving Stream	Drainage Ditch	Drainage Ditch	Drainage Ditch
Tributary To	Eagle Creek	Little Eagle Creek	Little Eagle Creek
Tributary To	Saline River	Eagle Creek	Eagle Creek
Tributary To	Ohio River	Saline River	Saline River

4. Average Flow (gpd) of Discharge \_\_\_\_\_ Max. Flow (gpd) of Discharge \_\_\_\_\_  
 Discharge occurs: all year \_\_\_\_\_ During Rain Events \_\_\_\_\_  
 month(s) \_\_\_\_\_  
 days per week \_\_\_\_\_

Sample Type (specify composite, grab, etc.)	2/85 to 7/03 grab	12/81 to 7/03 grab	6/85 to 7/03 grab
Acidity (mg/l)	17	17	10
Alkalinity (mg/l)	35	68	58
Ammonia Nitrogen (as N)(mg/l)			
Fluoride (mg/l)			
Iron (mg/l)	0.82	0.41	0.63
Lead (mg/l)			
Manganese (mg/l)	0.28	0.87	0.11
pH (range)	7.0	7.5	7.5
Sulfate (mg/l)	158	1066	456
Total Dissolved Solids (mg/l)			
Total Suspended Solids (mg/l)	14	12	23
Zinc (mg/l)			

Analysis Performed By: Bar Lab, Harrisburg, Illinois Date: \_\_\_\_\_

Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits, and pumps conveying the discharge water from its source to the discharge point.  
Discharge 004, discharge structure - 24 inch plastic pipe, surface water from reclaimed area; Discharge 007, discharge structure rip-rap spillway, surface water from reclaimed area; Discharge 008, discharge structure rip-rap spillway, surface water from reclaimed area, shop and haul road

Has an NPDES Permit Application been submitted for the above discharge? ( X ) Yes ( ) No

NPDES application forms 1 General and 2C must be submitted with WPC-PS\_MW and the appropriate schedules and maps for issuance of an NPDES permit with a construction authorization to discharge to surface waters.

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2 Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
 WATERSHED MANAGEMENT SECTION  
 BUREAU OF WATER

SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS

1. Name of Mine: Jader Mine No. 4

Discharge Number	Quarter Section	Section	Township	Range	County
009	SW1/4 NE1/4	16	10 South	8 East	Gallatin
010	NW1/4 NE1/4	16	10 South	8 East	Gallatin
012	NE1/4 NW1/4	16	10 South	8 East	Gallatin

Receiving Stream	Drainage Ditch	Drainage Ditch	Drainage Ditch
Tributary To	Little Eagle Creek	Eagle Creek	Eagle Creek
Tributary To	Eagle Creek	Saline River	Saline River
Tributary To	Saline River	Ohio River	Ohio River

4. Average Flow (gpd) of Discharge \_\_\_\_\_ Max. Flow (gpd) of Discharge \_\_\_\_\_

Discharge occurs: all year \_\_\_\_\_ During Rain Events \_\_\_\_\_  
 month(s) \_\_\_\_\_  
 days per week \_\_\_\_\_

Sample Type (specify composite, grab, etc.)	8/85 to 7/03 grab	8/85 to 7/03 grab	2/87 to 7/03 grab
Acidity (mg/l)	7	17	12
Alkalinity (mg/l)	57	86	95
Ammonia Nitrogen (as N)(mg/l)			
Fluoride (mg/l)			
Iron (mg/l)	0.71	1.17	0.74
Lead (mg/l)			
Manganese (mg/l)	0.15	1.53	1.09
pH (range)	7.5	7.5	7.6
Sulfate (mg/l)	348	577	470
Total Dissolved Solids (mg/l)			
Total Suspended Solids (mg/l)	47	19	27
Zinc (mg/l)			

Analysis Performed By: Bar Lab, Harrisburg, Illinois Date: \_\_\_\_\_

Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits, and pumps conveying the discharge water from its source to the discharge point.

Discharge 009, discharge structure - 18 inch steel pipe, surface water from shop & haul road; Discharge 010, discharge structure-18 inch steel casing, water from reclaimed area; Discharge 012, discharge structure-24 inch steel casing, surface water from reclaimed area, soil storage, stockpiles and haul road

Has an NPDES Permit Application been submitted for the above discharge? ( X ) Yes ( ) No

NPDES application forms 1 General and 2C must be submitted with WPC-PS\_MW and the appropriate schedules and maps for issuance of an NPDES permit with a construction authorization to discharge to surface waters.

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2, Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
 WATERSHED MANAGEMENT SECTION  
 BUREAU OF WATER

SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS

1. Name of Mine: Jader Mine No. 4

Discharge Number	Quarter Section	Section	Township	Range	County
014	SE1/4 NW1/4	16	10 South	8 East	Gallatin
016	SW1/4 NE1/4	17	10 South	8 East	Gallatin
017	SW1/4 SE1/4	17	10 South	8 East	Gallatin

Receiving Stream	Drainage Ditch	Drainage Ditch	Drainage Ditch
Tributary To	Little Eagle Creek	Eagle Creek	Little Eagle Creek
Tributary To	Eagle Creek	Saline River	Eagle Creek
Tributary To	Saline River	Ohio River	Saline River

4. Average Flow (gpd) of Discharge \_\_\_\_\_ Max. Flow (gpd) of Discharge \_\_\_\_\_

Discharge occurs: all year \_\_\_\_\_ During Rain Events \_\_\_\_\_  
 month(s) \_\_\_\_\_  
 days per week \_\_\_\_\_

Sample Type (specify composite, grab, etc.)	11/88 to 7/03 grab	12/88 to 7/ 03 grab	12/87 to 7/03 grab
Acidity (mg/l)	27	36	13
Alkalinity (mg/l)	283	60	94
Ammonia Nitrogen (as N)(mg/l)			
Fluoride (mg/l)			
Iron (mg/l)	0.66	2.20	1.43
Lead (mg/l)			
Manganese (mg/l)	2.15		0.05
pH (range)	7.8	7.3	7.3
Sulfate (mg/l)	1794	984	675
Total Dissolved Solids (mg/l)			
Total Suspended Solids (mg/l)	22	22	38
Zinc (mg/l)			

Analysis Performed By: Bar Lab, Harrisburg, Illinois Date: \_\_\_\_\_

Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits, and pumps conveying the discharge water from its source to the discharge point.

Discharge 014, discharge structure - 24 inch steel casing, surface water from reclaimed area; Discharge 016, discharge structure-24 inch steel casing, surface water from reclaimed area, soil stockpiles and haul road; Discharge 017, discharge structure 24 inch steel casing, surface water From reclaimed area, soil storage stockpiles and haul road

Has an NPDES Permit Application been submitted for the above discharge? ( X ) Yes ( ) No

NPDES application forms 1 General and 2C must be submitted with WPC-PS\_MW and the appropriate schedules and maps for issuance of an NPDES permit with a construction authorization to discharge to surface waters.

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2 Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
 WATERSHED MANAGEMENT SECTION  
 BUREAU OF WATER

SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS

1. Name of Mine: Jader Mine No. 4

Discharge Number	Quarter Section	Section	Township	Range	County
018	SE1/4 SE1/4	17	10 South	8 East	Gallatin
019	SW1/4 SW1/4	16	10 South	8 East	Gallatin
020	SE1/4 SE1/4	18	10 South	8 East	Gallatin

Receiving Stream	Drainage Ditch	Drainage Ditch	Drainage Ditch
Tributary To	Little Eagle Creek	Little Eagle Creek	Little Eagle Creek
Tributary To	Eagle Creek	Eagle Creek	Eagle Creek
Tributary To	Saline River	Saline River	Saline River

4. Average Flow (gpd) of Discharge \_\_\_\_\_ Max. Flow (gpd) of Discharge \_\_\_\_\_  
 Discharge occurs: all year \_\_\_\_\_ During Rain Events \_\_\_\_\_  
 month(s) \_\_\_\_\_  
 days per week \_\_\_\_\_

Sample Type (specify composite, grab, etc.)	12/87 to 7/03 grab	12/87 to 7/03 grab	1/90 to 7/03 grab
Acidity (mg/l)	7	14	16
Alkalinity (mg/l)	48	125	123
Ammonia Nitrogen (as N)(mg/l)			
Fluoride (mg/l)			
Iron (mg/l)	0.70	0.58	0.68
Lead (mg/l)			
Manganese (mg/l)	0.05	0.25	
pH (range)	7.7	7.4	7.5
Sulfate (mg/l)	108	789	937
Total Dissolved Solids (mg/l)			
Total Suspended Solids (mg/l)	18	22	30
Zinc (mg/l)			

Analysis Performed By: Bar Lab, Harrisburg, Illinois Date: \_\_\_\_\_

Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits, and pumps conveying the discharge water from its source to the discharge point.  
Discharge 018, discharge structure - 24 inch steel casing, surface water from reclaimed area, soil storage stockpiles & haul road; Discharge 019, discharge structure-24 inch steel casing, surface water from reclaimed area, soil storage stockpiles & haul road; Discharge 020, discharge structure 15 inch steel casing, surface water from reclaimed area, soil storage stockpiles & haul road

Has an NPDES Permit Application been submitted for the above discharge? ( X ) Yes ( ) No

NPDES application forms 1 General and 2C must be submitted with WPC-PS\_MW and the appropriate schedules and maps for issuance of an NPDES permit with a construction authorization to discharge to surface waters.

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2 Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied

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WATERSHED MANAGEMENT SECTION  
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Environmental Protection Agency  
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SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS

1. Name of Mine: Jader Mine No. 4

Discharge Number	Quarter Section	Section	Township	Range	County
039	SW1/4 SE1/4	18	10 South	8 East	Gallatin
040	NE1/4 NW1/4	19	10 South	8 East	Gallatin
041	SW1/4 SW1/4	18	10 South	8 East	Gallatin

Receiving Stream	Drainage Ditch	Drainage Ditch	Drainage Ditch
Tributary To	Eagle Creek	Little Eagle Creek	Eagle Creek
Tributary To	Saline River	Eagle Creek	Saline River
Tributary To	Ohio River	Saline River	Ohio River

4. Average Flow (gpd) of Discharge \_\_\_\_\_ Max. Flow (gpd) of Discharge \_\_\_\_\_

Discharge occurs: all year \_\_\_\_\_ During Rain Events \_\_\_\_\_  
month(s) \_\_\_\_\_  
days per week \_\_\_\_\_

Sample Type (specify composite, grab, etc.)	11/91 to 7/03 grab	12/91 to 7/03 grab	grab
Acidity (mg/l)	51	13	
Alkalinity (mg/l)	51	131	
Ammonia Nitrogen (as N)(mg/l)			
Fluoride (mg/l)			
Iron (mg/l)	0.11	0.99	
Lead (mg/l)			
Manganese (mg/l)			
pH (range)	7.7	7.7	
Sulfate (mg/l)	1883	983	
Total Dissolved Solids (mg/l)			
Total Suspended Solids (mg/l)	11	11	
Zinc (mg/l)			

Analysis Performed By: Bar Lab, Harrisburg, Illinois Date: \_\_\_\_\_

Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits, and pumps conveying the discharge water from its source to the discharge point.

Discharge 039, discharge structure - 20 inch steel casing, surface water from gob disposal area, soil storage stockpiles & haul road;  
Discharge 040, discharge structure 24 inch steel casing, surface water from gob disposal are, soil storage stockpiles & haul road; Discharge 041,  
Not Constructed

Has an NPDES Permit Application been submitted for the above discharge? ( X ) Yes ( ) No

NPDES application forms 1 General and 2C must be submitted with WPC-PS\_MW and the appropriate schedules and maps for issuance of an NPDES permit with a construction authorization to discharge to surface waters.

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2 Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
 WATERSHED MANAGEMENT SECTION  
 BUREAU OF WATER

SCHEDULE ME: DISCHARGE LOCATION AND CHARACTERISTICS

1. Name of Mine: Jader Mine No. 4

2. Discharge Number	Quarter Section	Section	Township	Range	County
043	SE1/4 SE1/4	8	10 South	8 East	Gallatin
044	SE1/4 SW1/4	9	10 South	8 East	Gallatin

3. Receiving Stream Drainage Ditch Drainage Ditch  
Tributary To Eagle Creek Eagle Creek  
Tributary To Saline River Saline River  
Tributary To Ohio River Ohio River

4. Average Flow (gpd) of Discharge \_\_\_\_\_ Max. Flow (gpd) of Discharge \_\_\_\_\_

Discharge occurs: all year \_\_\_\_\_ During Rain Events \_\_\_\_\_  
 month(s) \_\_\_\_\_  
 days per week \_\_\_\_\_

5. Sample Type (specify composite, grab, etc.)

	9/93 to 7/03 grab	11/94 to 7/03 grab	grab
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Acidity (mg/l)	12	14	
Alkalinity (mg/l)	175	242	
Ammonia Nitrogen (as N)(mg/l)			
Fluoride (mg/l)			
Iron (mg/l)	0.46	0.26	
Lead (mg/l)			
Manganese (mg/l)			
pH (range)	7.9	8.0	
Sulfate (mg/l)	1255	11337	
Total Dissolved Solids (mg/l)			
Total Suspended Solids (mg/l)	16	14	
Zinc (mg/l)			

Analysis Performed By: Bar Lab, Harrisburg, Illinois Date: \_\_\_\_\_

Describe the discharge structure and include the source of discharge water and a description of the treatment provided. Provide specifications for all outfall structures, conduits, and pumps conveying the discharge water from its source to the discharge point.

Discharge 043, discharge structure - 26 inch steel casing, surface water from gob storage area, soil storage stockpiles & haul road;  
Discharge 044, discharge structure 24 inch steel casing, surface water from reclaimed area, gob disposal area, soil storage stockpiles & haul road.

Has an NPDES Permit Application been submitted for the above discharge? ( X ) Yes ( ) No

NPDES application forms 1 General and 2C must be submitted with WPC-PS\_MW and the appropriate schedules and maps for issuance of an NPDES permit with a construction authorization to discharge to surface waters.

This Agency is authorized to require this information under Illinois Revised Statutes 1979 Chapter 111 1.2 Section 1039. Disclosure of this information is required under that section. Failure to do so may prevent this form from being processed and could result in your application being denied

Attachment No. 1

- 1) See item 1) on Schedule MA:
- 2) The area of Permit No. 8 was permitted for the surface mining of the Herrin No. 6 coal seam and the Harrisburg No. 5 coal seam. The surface water runoff from this area is collected in Sediment Pond No. 1, Sediment Pond No. 2, Sediment Pond No. 3, Sediment Pond No. 4, and Sediment Pond No. 7 prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Mines and Minerals permit application when it was submitted.

The area of Permit No. 9 was permitted for the surface activities of the underground mining of the Harrisburg No. 5 coal seam. The surface water runoff from this area is collected in Sediment Pond No. 7 on Permit No. 8 prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Mines and Minerals permit application when it was submitted.

The area of Permit No. 11 was permitted for the surface mining of the Briar Hill No. 5a coal seam, and the Harrisburg No. 5 coal seam. The surface water runoff from this area is collected in Sediment Pond No. 43 on Permit No. 267 and Sediment Pond No. 16 prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Mines and Minerals permit application when it was submitted.

The area of Permit No. 128 was permitted for the surface mining of the Herrin No. 6 coal seam, Briar Hill No. 5a coal seam, and the Harrisburg No. 5 coal seam. The surface water runoff from this area is collected in Sediment Pond No. 4, Sediment Pond No. 8, Sediment Pond No. 9, and Sediment Pond No. 10 prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Mines and Minerals permit application when it was submitted.

The area of Permit No. 167 was permitted for the surface mining of the Herrin No. 6 coal seam, Briar Hill No. 5a coal seam, Harrisburg No. 5 coal seam, DeKoven No. 3 coal seam and Davis No. 2 coal seam. The surface water runoff from this area is collected in Sediment Pond No. 10 on Permit No. 128, Sediment Pond No. 12 on Permit No. 167 and Sediment Pond No. 14 on Permit No. 192 prior to discharge. A more detailed description of the mining activities were included in

the Illinois Department of Mines and Minerals permit application when it was submitted.

The area of Permit No. 172 was permitted for the surface mining of the Herrin No. 6 coal seam, Briar Hill No. 5a coal seam and the Harrisburg No. 5 coal seam. The surface water runoff from this area is collected in Sediment Pond No. 12 on Permit No. 167 and Sediment Pond No. 43 on Permit No. 267 prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Mines and Minerals permit application when it was submitted.

The area of Permit No. 192 was permitted for the surface mining of the DeKoven No. 3 coal seam and the Davis No. 2 coal seam. The surface water runoff from this area is collected in Sediment Pond No. 14, Sediment Pond No. 17, Sediment Pond No. 18, and Sediment Pond No. 19, prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Mines and Minerals permit application when it was submitted.

The area of Permit No. 228 was permitted for the surface mining of the DeKoven No. 3 coal seam and the Davis No. 2 coal seam. The surface water runoff from this area is collected in Sediment Pond No. 17 on Permit No. 192 and Sediment Pond No. 20 prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Mines and Minerals permit application when it was submitted.

The area of Permit No. 252 was permitted for the surface mining of the DeKoven No. 3 coal seam and Davis No. 2 coal seam. The surface water runoff from this area is/or will be collected in Sediment Pond No. 20 on Permit No. 228, Sediment Pond No. 39, Sediment Pond No. 40, Sediment Pond No. 41, and Sediment Pond No. 42 prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Mines and Minerals permit application when it was submitted.

The area of Permit No. 267 was permitted for the surface mining of the Herrin No. 6 coal seam, Briar Hill No. 5a coal seam, and the Harrisburg No. 5 coal seam. The surface water runoff from this area is collected in Sediment Pond No. 43 and Sediment Pond No. 44 prior to discharge. A more detailed description of the mining activities were included in the Illinois Department of Mines and Minerals permit application when it was submitted.

Mining Equipment

- 1) Caterpillar Dozer, Model D8H (1 each)
- 2) Caterpillar Dozer, Model D8N
- 3) Caterpillar Dozer, Model D9G
- 4) Caterpillar Dozer, Model D8L (2 each)
- 5) Caterpillar Dozer, Model D9L
- 6) Caterpillar Dozer, Model D9N
- 7) Caterpillar Dozer, Model D11N (2 each)
- 8) Caterpillar Scraper, Model 627B
- 9) Caterpillar Scrapers, Model 637B (2 each)
- 10) John Deere Dozer, Model 750
- 11) Euclid End Dump Trucks, Model R85 (8 each)
- 12) Euclid Water Truck, Model R85
- 13) Caterpillar End Dump Truck, Model 785B (6 each)
- 14) Caterpillar Back-hoe, Model 5230
- 15) Caterpillar Endloaders, Model 992C (2 each)
- 16) Caterpillar Endloaders, Model 980B (2 each)
- 17) Caterpillar Motor Grader, Model 16G (2 each)
- 18) Caterpillar Back-hoe, Model 5130 (2 each)
- 19) Robbins Drill, Model RR10 (2 each)
- 20) Drilltech Drill, Model D75K (2 each)
- 21) Bucyrus-Erie Dragline, Model 5W
- 22) Bucyrus-Erie Dragline, Model 200W
- 23) Bucyrus-Erie Dragline, Model 1150B
- 24) Kawasaki End Loader, Model 95Z IV
- 25) Case Backhoe, Model 580C
- 26) Caterpillar Trackhoe, Model EL300

- 27) Manitowoc Dragline, Model 4500
- 28) Manitowoc Dragline, Model 4600
- 29) Clark End Loader, Model 275B
- 30) Caterpillar Trackhoe, Model 245
- 31) Bucyrus-Erie Crane, Model 30B
- 32) Lorain Motor Crane, Model 30T
- 33) Mack Water Truck, Model 35
- 34) John Deere Tractor, Model 7020
- 35) Army Powder Truck
- 36) Caterpillar Log Skidder, Model 518
- 37) Komatus Dozer, Model D65

- 3) See item 3) on Schedule MA:
- 4) See item 4) on Schedule MA:
- 5) See item 5) on Schedule MA:
- 6) See item 6) on Schedule MA:
- 7) Design of Discharge Structures

Sediment Pond No. 1  
Constructed 1982  
Drainage Area = 25.00 acres  
1.16 acres x 11.3 feet = 13.11 acre feet (Storage  
Volume Provided)

Sediment Pond No. 2  
Constructed 1983  
Drainage Area = 22.74 acres  
1.01 acres x 14 feet = 14.14 acre feet (Storage Volume  
Provided)

Sediment Pond No. 3  
Constructed 1983  
Drainage Area = 15.89 acres  
0.76 acre x 11.25 feet = 8.55 acre feet (Storage Volume  
Provided)

Sediment Pond No. 4  
Constructed 1984  
Drainage Area = 29.00 acres  
1.43 acres x 21 feet = 30.03 acre feet (Storage Volume  
Provided)

Sediment Pond No. 7  
Constructed 1981  
Reconstructed 1983  
Drainage Area = 24.20 acres  
2.77 acres x 12 feet = 33.24 acre feet (Storage Volume  
Provided)

Sediment Pond No. 8  
Constructed 1985  
Drainage Area = 25.00 acres  
1.02 acres x 10.5 feet = 10.71 acre feet (Storage  
Volume Provided)

Sediment Pond No. 9  
Constructed 1985  
Drainage Area = 24.50 acres  
1.27 acres x 9 feet = 11.43 feet (Storage Volume  
Provided)

Sediment Pond No. 10  
Constructed 1985  
Drainage Area = 80.30 acres  
1.32 acres x 16 feet = 21.12 acre (Storage Volume  
Provided)

Sediment Pond No. 12  
Constructed 1986  
Drainage Area = 92.80 acres  
1.93 acres x 16.75 feet = 32.33 acre feet (Storage  
Volume Provided)

Sediment Pond No. 14  
Constructed 1988  
Drainage Area = 51.80 acres  
1.53 acres x 5.50 feet = 8.42 acre feet (Storage Volume  
Provided)

Sediment Pond No. 16  
Constructed 1988  
Drainage Area = 78.20 acres  
1.82 acres x 12 feet = 21.84 acre feet (Storage Volume  
Provided)

Sediment Pond No. 17  
Constructed 1987  
Drainage Area = 97.60 acres  
1.52 acres x 13.5 feet = 20.52 acre feet (Storage  
Volume Provided)

Sediment Pond No. 18  
Constructed 1987  
Drainage Area = 52.80 acres  
1.73 acres x 14.5 feet = 25.09 acre feet (Storage  
Volume Provided)

Sediment Pond No. 19  
Constructed 1987  
Drainage Area = 56.60 acres  
1.42 acres x 17 feet = 24.14 acre feet (Storage Volume  
Provided)

Sediment Pond No. 20  
Constructed 1989  
Drainage Area = 64.40 acres  
1.14 acres x 13 feet = 14.82 acre feet (Storage Volume  
Provided)

Sediment Pond No. 39  
Constructed 1991  
Drainage Area = 55.80 acres  
0.90 acre x 17.2 feet = 15.48 acre feet (Storage Volume  
Provided)

Sediment Pond No. 40  
Constructed 1991  
Drainage Area = 57.60 acres  
1.30 acres x 14 feet = 18.20 acre feet (Storage Volume  
Provided)

Sediment Pond No. 41  
To Be Constructed  
Drainage Area = 70.00 acres  
0.52 acre x 12 feet = 6.24 acre feet (Storage Volume  
Provided)

Sediment Pond No. 42  
To Be Constructed  
Drainage Area = 28.00 acres  
0.80 acre x 10 feet = 8.00 acre feet (Storage Volume  
Provided)

Sediment Pond No. 43  
Constructed 1993  
Drainage Area = 167.10 acres  
2.38 acres x 27.50 feet = 64.45 acre feet (Storage  
Volume Provided)

Sediment Pond No. 44  
Constructed 1994  
Drainage Area = 131.80 acres  
1.78 acre x 32.00 feet = 56.96 acre feet (Storage  
Volume Provided)

8) Yes

9) The pre-mining land use of the area of Permit No. 8 consist of pasture land which had a well-established cover of fescue and clover, wildlife habitat which consist of pasture land that had been allowed to return to forest through natural succession which has a cover of trees and bushes, developed water resources which consist of a stock watering pond, forestry which had a cover of trees, strip-mining pit which consisted of a pit and spoil ridge which was left from a previous surface mining operation, residential which consist of a trailer site and township road between the two areas.

The pre-mining land use of the area of Permit No. 9 consist of forestry which was covered with trees.

The pre-mining land use of the area of Permit No. 11 consist of residential which was a frame house, lawn and garden spot, pasture land which had a cover of fescue and clover, wildlife habitat which consist of pasture land that had been allowed to return to forest through natural succession which had a cover of trees and bushes and forestry which had a cover of trees.

The pre-mining land use of the area of Permit No. 128 consist of pasture land which had a cover of fescue, forestry which had a cover of trees, developed water resources which consisted of a stock watering pond, strip-mine pit which consisted of an open pit and spoil ridge, and wildlife habitat which consist of pasture land that had been allowed to return to forest through natural succession which had a cover of trees and bushes.

The pre-mining land use of the area of Permit No. 167 consist of pasture land which had a cover of fescue, forestry which had a cover of trees, developed water resources which consisted of a stock watering pond, strip-mine pit which consisted of an open pit and spoil ridge, and cropland which consisted of corn and soybean fields.

The pre-mining land use of the area of Permit No. 172 consist of forestry which had a cover of trees.

The pre-mining land use of the area of Permit No. 192 consist of cropland which consisted of soybean, corn, and hay field, pasture land which had a cover of fescue and lespedeza, developed water resources which consisted of a stock watering pond, forestry which had a cover of trees, wildlife habitat which was pasture land which had been allowed to return to forest through

natural succession which had a cover of trees and bushes, and a township road.

The pre-mining land use of the area of Permit No. 228 consist of pasture land which had a cover of fescue and lespedeza, forestry which had a cover of trees, strip-mine pit which consisted of an open pit and spoil ridge and pasture land which has been allowed to return to forest through natural succession.

The pre-mining land use of the area of Permit No. 252 consist of pasture land which had a cover of fescue and lespedeza, forestry which had a cover of trees and strip-mine pit which consisted of an open pit and spoil ridge which was left from a previous strip-mining operation.

The pre-mining land use of the area of Permit No. 267 consist of pasture land which had a cover of fescue, lespedeza and annual weeds, forestry which had a cover of trees, industrial which consist of the Township Road, wildlife habitat consist of pasture field which has been allowed to return to forest through natural succession, and developed water resources consisting of Eagle Creek.

- 10) A study of the surface water within or adjacent to the mine was provided with each Illinois Department of Mines and Minerals permit application. This information is included in Appendix No. 10 of Permit No. 8 Permit Application, Appendix No. 10 of Permit No. 9 Permit Application, Appendix No. 10 of Permit No. 11 Permit Application, Appendix No. 8 of Permit No. 167 Permit Application, Appendix No. 8 of Permit No. 192 Permit Application, Appendix No. 5 of Permit No. 228 Permit Application, Appendix No. 3 of Permit No. 252 Permit Application, and Appendix No. 3 of Permit No. 267 Permit Application.
- 11) See item 11) on Schedule MA:
- 12) See item 12) on Schedule MA:
- 13) The boring log and overburden analysis was provided with each Illinois Department of Mines and Minerals permit application. This information is included in Appendix No. 10 of Permit No. 8 Permit Application, Appendix No. 10 of Permit No. 9 Permit Application, Appendix No. 10 of Permit No. 11 Permit Application, Appendix No. 8 of Permit No. 128 Permit Application, Appendix No. 8 of Permit No. 167 Permit Application, Appendix No. 8 of Permit No. 172 Permit Application, Appendix No. 8 of Permit No. 192 Permit Application, Appendix No. 5 of Permit No. 228 Permit Application,

Appendix No. 3 of Permit No. 252 Permit Application,  
and Appendix No. 3 of Permit No. 267 Permit  
Application.

Attachment No. 2

- 1) See item 1) on Schedule MB:
- 2) See item 2) on Schedule MB:
- 3) See item 3) on Schedule MB:
- 4) See item 4) on Schedule MB:
- 5) See item 5) on Schedule MB:
- 6) See item 6) on Schedule MB:
- 7) RC6 - Downen Enterprises  
RC22 - Downen Enterprises  
RC25 - Joe Hinton  
RC28 - Connie Tribolet  
RW7 - Downen Enterprises  
RW15 - Downen Enterprises  
RW16 - Downen Enterprises  
RW18 - Zella Robinson  
RW19 - Leamington Church  
RW20 - Tony Hall  
RW24 - Joe Mosby  
RW26 - Dale Colbert  
RW27 - Jerry Buckman  
RW29 - Connie Tribolet  
RW37 - Johnny Johnson  
RW45 - Otia Stanley  
RW46 - Bethel Church  
RW47 - Carman Crisp  
RW48 - Tenny Tarlton  
RW49 - Downen Enterprises  
RW51 - Raymond Elliott  
RW60 - Downen Production co.
- 8) RW16 - Downen Enterprises  
P. O. Box 520  
Shawneetown, IL 62984  
  
Depth - 96 feet  
Distance to pit - 100 feet  
  
RW15 - Downen Enterprises  
P. O. Box 520  
Shawneetown, IL 62984  
  
Depth - 120 feet  
Distance to pit - 120 feet

RW7 - Downen Enterprises  
P. O. Box 520  
Shawneetown, IL 62984

Depth - 175 feet

Distance to pit - 150 feet

RW37 - Johnny Johnson  
R. R. 2, Box 238  
Equality, IL 62934

Depth - 80 feet

Distance to pit - 400 feet

9) A study of the affects of the surface mining operation on the ground water, private water supplies, and public water supplies have been provided with each Illinois Department of Mines and Minerals permit application. See Permit No. 8, No. 9, No. 11, No. 128, No. 167, No. 172, No. 192, No. 228, No. 252, and No. 267 for copies of this information.

10) Yes.

<b>FORM</b> <b>1</b> <b>GENERAL</b>	<b>U.S. ENVIRONMENTAL PROTECTION AGENCY</b> <b>GENERAL INFORMATION</b> <i>Consolidated Permits Program</i>	<b>EPA NUMBER</b> <b>F I L 0 0 6 1 1 6 6</b>
<b>LABEL ITEMS</b> I. EPA I.D. NUMBER: IL0061166 Jader Mine No. 4 III. FACILITY NAME: Jader Coal Company, L. L. 1534 Starks Building V. FACILITY MAILING ADDRESS: Louisville, Kentucky 40202 VI. FACILITY LOCATION: 5.6 Miles Southeast of Equality, IL		<b>GENERAL INSTRUCTIONS</b> If a preprinted label has been provided, affix in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in area(s) below. If the label is complete and correct, you need not complete items I, III, V, and VI (except VI-B which must be completed regardless). Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.

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**II. POLLUTANT CHARACTERISTICS**

**INSTRUCTIONS:** Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms.

SPECIFIC QUESTIONS	MARK 'X'			SPECIFIC QUESTIONS	MARK 'X'		
	YES	NO	FORM ATTACHED		YES	NO	FORM ATTACHED
A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S.?		X		B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S.?		X	
C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above?	X			D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.?		X	
E. Does or will this facility treat, store, or dispose of hazardous wastes?		X		F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water?		X	
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons?		X		H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy?		X	
I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area?		X		J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area?		X	

**III. NAME OF FACILITY**

1 SKIP J A D E R M I N E N O . 4

**IV. FACILITY CONTACT**

A. NAME & TITLE (last, first, & title)	B. PHONE (area code & no.)
2 C A R R G A R Y	6 1 8 2 7 5 4 4 8 6

**V. FACILITY MAILING ADDRESS**

A. STREET OR P.O. BOX			
3 1 5 3 4 S T A R K S B U I L D I N G			
B. CITY OR TOWN		C. STATE	D. ZIP CODE
4 L O U I S V I L L E		K Y	4 0 2 0 2

**VI. FACILITY LOCATION**

A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER					
5 2 6 7 5 E A G L E M I N E L A N E					
B. COUNTY NAME					
G A L L A T I N					
C. CITY OR TOWN		D. STATE	E. ZIP CODE	F. COUNTY CODE (if known)	
6 J U N C T I O N		I L	6 2 9 5 4	0 3 0	

CONTINUED FROM THE FRONT

**VII. SIC CODES (4-digit, in order of priority)**

A. FIRST				B. SECOND			
C	7	(specify)		C	7	(specify)	
12	13	14	15	12	13	14	15
C. THIRD				D. FOURTH			
C	7	(specify)		C	7	(specify)	
12	13	14	15	12	13	14	15

**VIII. OPERATOR INFORMATION**

A. NAME  
 8 J A D E R C O A L C O M P A N Y L L C

B. Is the name listed in Item VIII-A also the owner?  
 YES  NO

C. STATUS OF OPERATOR (Enter the appropriate letter into the answer box; if "Other", specify.)  
 F = FEDERAL M = PUBLIC (other than federal or state)  
 S = STATE O = OTHER (specify) P  
 P = PRIVATE

D. PHONE (area code & no.)  
 A 5 0 3 5 8 4 6 0 2 2

E. STREET OR P.O. BOX

F. CITY OR TOWN G. STATE H. ZIP CODE IX. INDIAN LAND  
 B Is the facility located on Indian lands?  
 YES  NO

**X. EXISTING ENVIRONMENTAL PERMITS**

A. NPDES (Discharges to Surface Water)  
 9 N I L 0 0 6 1 1 6 6

D. PSD (Air Emissions from Proposed Sources)  
 9 P

B. UIC (Underground Injection of Fluids)  
 9 U

E. OTHER (specify)

C. RCRA (Hazardous Wastes)  
 9 R

E. OTHER (specify)

**XI. MAP**

Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers and other surface water bodies in the map area. See instructions for precise requirements.

**XII. NATURE OF BUSINESS (provide a brief description)**

JADER MINE NO. 4 WAS MINED BY AREA STRIPPING WITH THE FOLLOWING COAL SEAMS MINED:  
 HERRIN NO. 6  
 HARRISBURG NO. 5  
 BRIAR HILL NO. 5A  
 DEKOVEN NO. 3  
 DAVIS NO. 2

THE MINE IS NO LONGER ACTIVELY MINING, BUT RECLAMATION IS NOT COMPLETE.

**XIII. CERTIFICATION (see instructions)**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. NAME & OFFICIAL TITLE (type or print) President	B. SIGNATURE Sigel	C. DATE SIGNED 8-1-03
---	-----------------------	--------------------------

**COMMENTS FOR OFFICIAL USE ONLY**

C

12 13 14 15

EPA I.D. NUMBER (copy from Item 1 of Form 1)  
 IL0061166

Form Approved,  
 OMB No. 2000-0059  
 Approval expires 12-31-85

Please print or type in the unshaded areas only.

FORM  
**2C**  
 NPDES



U.S. ENVIRONMENTAL PROTECTION AGENCY  
 APPLICATION FOR PERMIT TO DISCHARGE WASTEWATER  
 EXISTING MANUFACTURING, COMMERCIAL, MINING AND SILVICULTURAL OPERATIONS  
 Consolidated Permits Program

**I. OUTFALL LOCATION**

For each outfall, list the latitude and longitude of its location to the nearest 15 seconds and the name of the receiving water.

A. OUTFALL NUMBER (list)	B. LATITUDE			C. LONGITUDE			D. RECEIVING WATER (name)
	1. DEG.	2. MIN.	3. SEC.	1. DEG.	2. MIN.	3. SEC.	
001	37	39	26	88	18	30	LITTLE EAGLE CREEK
002	37	39	32	88	18	45	EAGLE CREEK
003	37	39	32	88	18	55	EAGLE CREEK
004	37	39	32	88	19	08	EAGLE CREEK
007	37	39	05	88	18	51	LITTLE EAGLE CREEK
008	37	39	02	88	19	24	LITTLE EAGLE CREEK

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**II. FLOWS, SOURCES OF POLLUTION, AND TREATMENT TECHNOLOGIES**

A. Attach a line drawing showing the water flow through the facility. Indicate sources of intake water, operations contributing wastewater to the effluent, and treatment units labeled to correspond to the more detailed descriptions in Item B. Construct a water balance on the line drawing by showing average flows between intakes, operations, treatment units, and outfalls. If a water balance cannot be determined (e.g., for certain mining activities), provide a pictorial description of the nature and amount of any sources of water and any collection or treatment measures.

B. For each outfall, provide a description of: (1) All operations contributing wastewater to the effluent, including process wastewater, sanitary wastewater, cooling water, and storm water runoff; (2) The average flow contributed by each operation; and (3) The treatment received by the wastewater. Continue on additional sheets if necessary.

1. OUTFALL NO (list)	2. OPERATION(S) CONTRIBUTING FLOW		3. TREATMENT	
	a. OPERATION (list)	b. AVERAGE FLOW (include units)	a. DESCRIPTION	b. LIST CODES FROM TABLE 2C-1
001	RECLAIMED AREA RUNOFF	30,800 GAL	SEDIMENTATION POND (1.16 ACRES X 11.3 FEET DEEP) 24 HOUR DETENTION TIME	1 U
002	RECLAIMED AREA RUNOFF	46,900 GAL	SEDIMENTATION POND (1.01 ACRES X 14 FEET DEEP) 24 HOUR DETENTION TIME	1 U
003	RECLAIMED AREA RUNOFF	45,800 GAL	SEDIMENTATION POND (0.76 ACRE X 11.25 FEET DEEP) 24 HOUR DETENTION TIME	1 U
004	RECLAIMED AREA RUNOFF	51,600 GAL	SEDIMENTATION POND (1.43 ACRES X 21 FEET DEEP) 24 HOUR DETENTION TIME	1 U
007	RECLAIMED AREA RUNOFF	86,300 GAL	SEDIMENTATION POND (2.77 ACRES X 12 FEET DEEP) 24 HOUR DETENTION TIME	1 U
008	RECLAIMED AREA RUNOFF AND HAUL ROAD	38,100 GAL	SEDIMENTATION POND (1.02 ACRES X 10.5 FEET DEEP) 24 HOUR DETENTION TIME	1 U

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CONTINUED FROM THE FRONT

C. Except for storm runoff, leaks, or spills, are any of the discharges described in Items II-A or B intermittent or seasonal?  
 YES (complete the following table)  NO (go to Section III)

1. OUTFALL NUMBER (list)	2. OPERATION(S) CONTRIBUTING FLOW (list)	3. FREQUENCY		4. FLOW				5. DUR- ATION (in days)
		a. DAYS PER WEEK (specify average)	b. MONTHS PER YEAR (specify average)	6. FLOW RATE (in mgd)		7. TOTAL VOLUME (specify with units)		
				1. LONG TERM AVERAGE	2. MAXIMUM DAILY	1. LONG TERM AVERAGE	2. MAXIMUM DAILY	

**III. PRODUCTION**

A. Does an effluent guideline limitation promulgated by EPA under Section 304 of the Clean Water Act apply to your facility?  
 YES (complete Item III-B)  NO (go to Section IV)

B. Are the limitations in the applicable effluent guideline expressed in terms of production (or other measure of operation)?  
 YES (complete Item III-C)  NO (go to Section IV)

C. If you answered "yes" to Item III-B, list the quantity which represents an actual measurement of your level of production, expressed in the terms and units used in the applicable effluent guideline, and indicate the affected outfalls.

1. AVERAGE DAILY PRODUCTION			2. AFFECTED OUTFALLS (list outfall numbers)
a. QUANTITY PER DAY	b. UNITS OF MEASURE	c. OPERATION, PRODUCT, MATERIAL, ETC. (specify)	

**IV. IMPROVEMENTS**

A. Are you now required by any Federal, State or local authority to meet any implementation schedule for the construction, upgrading or operation of waste-water treatment equipment or practices or any other environmental programs which may affect the discharges described in this application? This includes, but is not limited to, permit conditions, administrative or enforcement orders, enforcement compliance schedule letters, stipulations, court orders, and grant or loan conditions.  
 YES (complete the following table)  NO (go to Item IV-B)

1. IDENTIFICATION OF CONDITION, AGREEMENT, ETC.	2. AFFECTED OUTFALLS		3. BRIEF DESCRIPTION OF PROJECT	4. FINAL COM- PLIANCE DATE	
	a. NO.	b. SOURCE OF DISCHARGE		a. RE- QUIRED	b. PRO- JECTED

B. OPTIONAL: You may attach additional sheets describing any additional water pollution control programs (or other environmental projects which may affect your discharges) you now have underway or which you plan. Indicate whether each program is now underway or planned, and indicate your actual or planned schedules for construction.  MARK "X" IF DESCRIPTION OF ADDITIONAL CONTROL PROGRAMS IS ATTACHED

EPA I.D. NUMBER (copy from Item 1 of Form 1)

IL0061166

Form Approved  
 OMB No. 2000-0059  
 Approval expires 12-31-85

Please print or type in the unshaded areas only.

FORM  
**2C**  
 NPDES



U.S. ENVIRONMENTAL PROTECTION AGENCY  
 APPLICATION FOR PERMIT TO DISCHARGE WASTEWATER  
 EXISTING MANUFACTURING, COMMERCIAL, MINING AND SILVICULTURAL OPERATIONS  
 Consolidated Permits Program

**I. OUTFALL LOCATION**

For each outfall, list the latitude and longitude of its location to the nearest 15 seconds and the name of the receiving water.

A. OUTFALL NUMBER (list)	B. LATITUDE			C. LONGITUDE			D. RECEIVING WATER (name)
	1. DEG.	2. MIN.	3. SEC.	1. DEG.	2. MIN.	3. SEC.	
009	37	39	02	88	19	40	LITTLE EAGLE CREEK
010	37	39	32	88	19	22	EAGLE CREEK
012	37	39	32	88	19	54	EAGLE CREEK
014A	37	39	00	88	19	48	LITTLE EAGLE CREEK
016	37	39	29	88	20	44	EAGLE CREEK
017	37	38	36	88	20	41	LITTLE EAGLE CREEK

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**II. FLOWS, SOURCES OF POLLUTION, AND TREATMENT TECHNOLOGIES**

A. Attach a line drawing showing the water flow through the facility. Indicate sources of intake water, operations contributing wastewater to the effluent, and treatment units labeled to correspond to the more detailed descriptions in Item B. Construct a water balance on the line drawing by showing average flows between intakes, operations, treatment units, and outfalls. If a water balance cannot be determined (e.g., for certain mining activities), provide a pictorial description of the nature and amount of any sources of water and any collection or treatment measures.

B. For each outfall, provide a description of: (1) All operations contributing wastewater to the effluent, including process wastewater, sanitary wastewater, cooling water, and storm water runoff; (2) The average flow contributed by each operation; and (3) The treatment received by the wastewater. Continue on additional sheets if necessary.

1. OUTFALL NO (list)	2. OPERATION(S) CONTRIBUTING FLOW		3. TREATMENT	4. LIST CODES FROM TABLE 2C-1	
	a. OPERATION (list)	b. AVERAGE FLOW (include units)			
009	SURFACE RUNOFF & HAUL ROAD	51,400 GAL	SEDIMENTATION POND (1.27 ACRES X 9 FEET DEEP) 24 HOUR DETENTION TIME	I	U
	RECLAIMED AREA	140,400 GAL	SEDIMENTATION POND (1.32 ACRES X 16 FEET DEEP) 24 HOUR DETENTION TIME	I	U
	RECLAIMED AREA, SOIL STORAGE RUNOFF & HAUL ROAD	178,700 GAL	SEDIMENTATION POND (1.93 ACRES X 16.75 FEET DEEP) 24 HOUR DETENTION TIME	I	U
014A	SURFACE RUNOFF FROM RECLAIMED AREA	343,200 GAL	SEDIMENTATION POND (1.53 ACRES X 5.5 FEET DEEP) 24 HOUR DETENTION TIME	I	U
	SURFACE RUNOFF, RECLAIMED AREA, SOIL STORAGE AREAS & HAUL ROAD	248,600 GAL	SEDIMENTATION POND (1.82 ACRES X 12 FEET DEEP) 24 HOUR DETENTION TIME	I	U
	SURFACE RUNOFF, RECLAIMED AREA, SOIL STORAGE AREAS & HAUL ROAD	149,300 GAL	SEDIMENTATION POND (1.52 ACRES X 13.5 FEET DEEP) 24 HOUR DETENTION TIME	I	U

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CONTINUED FROM THE FRONT

C. Except for storm runoff, leaks, or spills, are any of the discharges described in Items II-A or B intermittent or seasonal?  
 YES (complete the following table)  NO (go to Section III)

1. OUTFALL NUMBER (list)	2. OPERATION(S) CONTRIBUTING FLOW (list)	3. FREQUENCY		4. FLOW				C. DUR- ATION (in days)
		a. DAYS PER WEEK (specify average)	b. MONTHS PER YEAR (specify average)	b. FLOW RATE (in mgd)		d. TOTAL VOLUME (specify with units)		
				1. LONG TERM AVERAGE	2. MAXIMUM DAILY	1. LONG TERM AVERAGE	2. MAXIMUM DAILY	

III. PRODUCTION

A. Does an effluent guideline limitation promulgated by EPA under Section 304 of the Clean Water Act apply to your facility?  
 YES (complete Item III-B)  NO (to Section IV)

B. Are the limitations in the applicable effluent guideline expressed in terms of production (or other measure of operation)?  
 YES (complete Item III-C)  NO (go to Section IV)

C. If you answered "yes" to Item III-B, list the quantity which represents an actual measurement of your level of production, expressed in the terms and units used in the applicable effluent guideline, and indicate the affected outfalls.

1. AVERAGE DAILY PRODUCTION			2. AFFECTED OUTFALLS (list outfall numbers)
a. QUANTITY PER DAY	b. UNITS OF MEASURE	c. OPERATION, PRODUCT, MATERIAL, ETC. (specify)	

IV. IMPROVEMENTS

A. Are you now required by any Federal, State or local authority to meet any implementation schedule for the construction, upgrading or operation of waste-water treatment equipment or practices or any other environmental programs which may affect the discharges described in this application? This includes, but is not limited to, permit conditions, administrative or enforcement orders, enforcement compliance schedule letters, stipulations, court orders, and grant or loan conditions.  
 YES (complete the following table)  NO (go to Item IV-B)

1. IDENTIFICATION OF CONDITION, AGREEMENT, ETC.	2. AFFECTED OUTFALLS		3. BRIEF DESCRIPTION OF PROJECT	4. FINAL COM- PLIANCE DATE	
	a. NO.	b. SOURCE OF DISCHARGE		a. RE- QUIRED	b. PRO- JECTED

B. OPTIONAL: You may attach additional sheets describing any additional water pollution control programs (or other environmental projects which may affect your discharges) you now have underway or which you plan. Indicate whether each program is now underway or planned, and indicate your actual or planned schedules for construction.  MARK "X" IF DESCRIPTION OF ADDITIONAL CONTROL PROGRAMS IS ATTACHED

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Form Approved,  
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FORM  
 2C  
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U.S. ENVIRONMENTAL PROTECTION AGENCY  
 APPLICATION FOR PERMIT TO DISCHARGE WASTEWATER  
 EXISTING MANUFACTURING, COMMERCIAL, MINING AND SILVICULTURAL OPERATIONS  
 Consolidated Permits Program

I. OUTFALL LOCATION

For each outfall, list the latitude and longitude of its location to the nearest 15 seconds and the name of the receiving water.

A. OUTFALL NUMBER (list)	B. LATITUDE			C. LONGITUDE			D. RECEIVING WATER
	1. DEG.	2. MIN.	3. SEC.	1. DEG.	2. MIN.	3. SEC.	
018	37	38	20	88	20	31	LITTLE EAGLE CREEK
019	37	38	19	88	19	41	LITTLE EAGLE CREEK
020	37	38	21	88	21	16	LITTLE EAGLE CREEK
039	37	38	21	88	21	24	EAGLE CREEK
040	37	38	22	88	22	09	LITTLE EAGLE CREEK
043	37	39	39	88	20	23	EAGLE CREEK

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II. FLOWS, SOURCES OF POLLUTION, AND TREATMENT TECHNOLOGIES

A. Attach a line drawing showing the water flow through the facility. Indicate sources of intake water, operations contributing wastewater to the effluent, and treatment units labeled to correspond to the more detailed descriptions in Item B. Construct a water balance on the line drawing by showing average flows between intakes, operations, treatment units, and outfalls. If a water balance cannot be determined (e.g., for certain mining activities), provide a pictorial description of the nature and amount of any sources of water and any collection or treatment measures.

B. For each outfall, provide a description of: (1) All operations contributing wastewater to the effluent, including process wastewater, sanitary wastewater, cooling water, and storm water runoff; (2) The average flow contributed by each operation; and (3) The treatment received by the wastewater. Continue on additional sheets if necessary.

1. OUTFALL NUMBER (list)	2. OPERATION(S) CONTRIBUTING FLOW		3. TREATMENT	
	a. OPERATION (list)	b. AVERAGE FLOW (include units)	c. DESCRIPTION	d. LIST CODES FROM TABLE 2C-1
018	SURFACE RUNOFF, RECLAIMED	66,400 GAL	SEDIMENTATION POND	1 U
	AREA, SOIL STORAGE AREAS, & HAUL ROAD		(1.73 ACRES X 14.5 FEET DEEP) 24 HOUR DETENTION TIME	
019	SURFACE RUNOFF, RECLAIMED	154,500 GAL	SEDIMENTATION POND	1 U
	AREA, SOIL STORAGE AREAS, & HAUL ROAD		(1.42 ACRES X 17 FEET DEEP) 24 HOUR DETENTION TIME	
020	SURFACE RUNOFF, RECLAIMED	406,600 GAL	SEDIMENTATION POND	1 U
	AREA, SOIL STORAGE AREAS, & HAUL ROAD		(1.14 ACRES X 13 FEET DEEP) 24 HOUR DETENTION TIME	
039	SURFACE RUNOFF, RECLAIMED	41,800 GAL	SEDIMENTATION POND	1 U
	AREA, SOIL STORAGE AREAS, & HAUL ROAD		(0.9 ACRES X 17.2 FEET DEEP) 24 HOUR DETENTION TIME	
040	SURFACE RUNOFF, RECLAIMED	318,200 GAL	SEDIMENTATION POND	1 U
	AREA, SOIL STORAGE AREAS, & HAUL ROAD		(1.3 ACRES X 14 FEET DEEP) 24 HOUR DETENTION TIME	
043	SURFACE RUNOFF, RECLAIMED	514,000 GAL	SEDIMENTATION POND	1 U
	AREA, SOIL STORAGE AREAS, & HAUL ROAD		(2.38 ACRES X 27.5 FEET DEEP) 24 HOUR DETENTION TIME	

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CONTINUED FROM THE FRONT

C. Except for storm runoff, leaks, or spills, are any of the discharges described in Items II-A or B intermittent or seasonal?  
 YES (complete the following table)  NO (go to Section III)

1. OUTFALL NUMBER (list)	2. OPERATION(S) CONTRIBUTING FLOW (list)	3. FREQUENCY		4. FLOW				5. DUR- ATION (in days)
		a. DAYS PER WEEK (specify average)	b. MONTHS PER YEAR (specify average)	a. FLOW RATE (in mgd)		b. TOTAL VOLUME (specify with units)		
				1. LONG TERM AVERAGE	2. MAXIMUM DAILY	1. LONG TERM AVERAGE	2. MAXIMUM DAILY	

III. PRODUCTION

A. Does an effluent guideline limitation promulgated by EPA under Section 304 of the Clean Water Act apply to your facility?  
 YES (complete Item III-B)  NO (go to Section IV)

B. Are the limitations in the applicable effluent guideline expressed in terms of production (or other measure of operation)?  
 YES (complete Item III-C)  NO (go to Section IV)

C. If you answered "yes" to Item III-B, list the quantity which represents an actual measurement of your level of production, expressed in the terms and units used in the applicable effluent guideline, and indicate the affected outfalls.

1. AVERAGE DAILY PRODUCTION			2. AFFECTED OUTFALLS (list outfall numbers)
a. QUANTITY PER DAY	b. UNITS OF MEASURE	c. OPERATION, PRODUCT, MATERIAL, ETC. (specify)	

IV. IMPROVEMENTS

A. Are you now required by any Federal, State or local authority to meet any implementation schedule for the construction, upgrading or operation of waste-water treatment equipment or practices or any other environmental programs which may affect the discharges described in this application? This includes, but is not limited to, permit conditions, administrative or enforcement orders, enforcement compliance schedule letters, stipulations, court orders, and grant or loan conditions.  
 YES (complete the following table)  NO (go to Item IV-B)

1. IDENTIFICATION OF CONDITION, AGREEMENT, ETC.	2. AFFECTED OUTFALLS		3. BRIEF DESCRIPTION OF PROJECT	4. FINAL COM- PLIANCE DATE	
	a. NO.	b. SOURCE OF DISCHARGE		a. RE- QUIRED	b. PRO- JECTED

B. OPTIONAL: You may attach additional sheets describing any additional water pollution control programs (or other environmental projects which may affect your discharges) you now have underway or which you plan. Indicate whether each program is now underway or planned, and indicate your actual or planned schedules for construction.  MARK "X" IF DESCRIPTION OF ADDITIONAL CONTROL PROGRAMS IS ATTACHED



CONTINUED FROM THE FRONT

C. Except for storm runoff, leaks, or spills, are any of the discharges described in Items II-A or B intermittent or seasonal?  
 YES (complete the following table)  NO (go to Section III)

1. OUTFALL NUMBER (list)	2. OPERATION(S) CONTRIBUTING FLOW (list)	3. FREQUENCY		4. FLOW				C. DUR- ATION (in days)
		a. DAYS PER WEEK (specify average)	b. MONTHS PER YEAR (specify average)	a. FLOW RATE (in mgd)		b. TOTAL VOLUME (specify with units)		
				1. LONG TERM AVERAGE	2. MAXIMUM DAILY	1. LONG TERM AVERAGE	2. MAXIMUM DAILY	

**III. PRODUCTION**

A. Does an effluent guideline limitation promulgated by EPA under Section 304 of the Clean Water Act apply to your facility?  
 YES (complete Item III-B)  NO (go to Section IV)

B. Are the limitations in the applicable effluent guideline expressed in terms of production (or other measure of operation)?  
 YES (complete Item III-C)  NO (go to Section IV)

C. If you answered "yes" to Item III-B, list the quantity which represents an actual measurement of your level of production, expressed in the terms and units used in the applicable effluent guideline, and indicate the affected outfalls.

1. AVERAGE DAILY PRODUCTION			2. AFFECTED OUTFALLS (list outfall numbers)
b. QUANTITY PER DAY	d. UNITS OF MEASURE	c. OPERATION, PRODUCT, MATERIAL, ETC. (specify)	

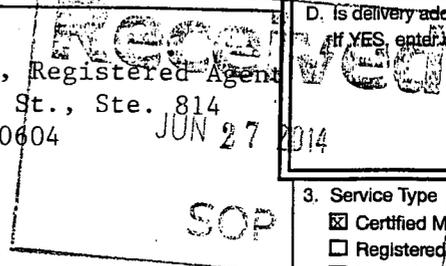
**IV. IMPROVEMENTS**

A. Are you now required by any Federal, State or local authority to meet any implementation schedule for the construction, upgrading or operation of waste-water treatment equipment or practices or any other environmental programs which may affect the discharges described in this application? This includes, but is not limited to, permit conditions, administrative or enforcement orders, enforcement compliance schedule letters, stipulations, court orders, and grant or loan conditions.  
 YES (complete the following table)  NO (go to Item IV-B)

1. IDENTIFICATION OF CONDITION, AGREEMENT, ETC.	2. AFFECTED OUTFALLS		3. BRIEF DESCRIPTION OF PROJECT	4. FINAL COM- PLIANCE DATE	
	a. NO.	b. SOURCE OF DISCHARGE		a. RE- QUIRED	b. PRO- JECTED

B. OPTIONAL: You may attach additional sheets describing any additional water pollution control programs for other environmental projects which may affect your discharges you now have underway or which you plan. Indicate whether each program is now underway or planned, and indicate your actual or planned schedules for construction.  MARK "X" IF DESCRIPTION OF ADDITIONAL CONTROL PROGRAMS IS ATTACHED

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"><li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>Print your name and address on the reverse so that we can return the card to you.</li><li>Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	A. Signature  <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee B. Received by (Printed Name) _____ C. Date of Delivery _____
1. Article Addressed to:  CT Corporation, Registered Agent 208 S. LaSalle St., Ste. 814 Chicago, IL 60604	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
2. Article Number (Transfer from service label)	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
PS Form 3811, February 2004	Domestic Return Receipt 102595-02-M-154C



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Amanda Kimmel  
Assistant Attorney General  
500 South Second Street  
Springfield, IL 62706

**CERTIFICATE OF SERVICE**

I hereby certify that I did on July 29, 2014, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled MOTION TO DEEM ADMITTED MATTERS OF FACT AND GENUINENESS OF DOCUMENTS:

To: Illinois Fuel Company Stephen Addington, Manager 1500 North Big Run Road Ashland, KY 41102	CT Corporation Systems Registered Agent for Illinois Fuel 208 S. LaSalle St., Ste. 814 Chicago, IL 60604
Jader Coal Company 920 Gape Hollow Road P.O. Box 40 Herod, IL 62947	

The Motion was also emailed to:

John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board  
State of Illinois Center  
Suite 11-500  
100 West Randolph  
Chicago, IL 60601

A copy was also sent by First Class Mail with postage thereon fully prepaid:

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

s/Amanda Kimmel  
Amanda Kimmel  
Assistant Attorney General

This filing is submitted on recycled paper.