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MAR 05 2001

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

PRAIRIE RIVERS NETWORK)

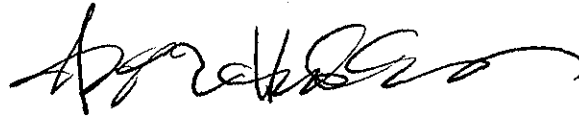
v.)

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY and BLACK BEAUTY COAL)
COMPANY)

PCB 01-112
(APPEAL FROM IEPA
DECISION GRANTING
NPDES PERMIT)

NOTICE OF FILING

PLEASE TAKE NOTICE that on this date, March 2, 2001, I filed with Dorothy Gunn, Clerk of the Illinois Pollution Control Board, James R. Thompson Center, 100 West Randolph Street, Suite #11-500, Chicago, IL 60601, the attached **Petition to Intervene**, which document was filed by mail.



Fred L. Hubbard (Reg. No. 1275682)
Counsel for Vermilion Coal Company
415 N. Gilbert Street, PO Box 12
Danville, IL 61834

FRED L. HUBBARD
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Telephone: (217) 446-0144

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STATE OF ILLINOIS
Pollution Control Board

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PRAIRIE RIVERS NETWORK)	
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v.)	PCB 01-112
)	(APPEAL FROM IEPA
ILLINOIS ENVIRONMENTAL PROTECTION)	DECISION GRANTING
AGENCY and BLACK BEAUTY COAL)	NPDES PERMIT)
COMPANY)	

PETITION TO INTERVENE

VERMILION COAL COMPANY, A Delaware Corporation, by Fred L. Hubbard, its attorney, petitions the Pollution Control Board for leave to intervene in the above-captioned matter and, in support of this Petition, states:

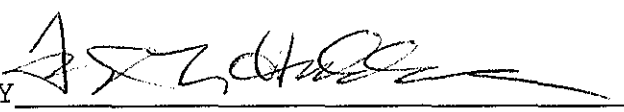
1. Vermilion Coal Company is the owner of the coal sought to be mined by the Black Beauty Coal Company under the above-captioned Permit.

2. The ownership of the coal creates a substantial economic interest in the granting or denial of the NPDES permit.

WHEREFORE, VERMILION COAL COMPANY prays that the Illinois Pollution Control Board grant it leave to intervene in the above-captioned matter; that the parties be directed to serve copies of all pleadings, motions and other documents filed, upon the Vermilion Coal Company as an additional party and that such other, further and different orders be entered as may be appropriate.

Dated this 2nd day of March, 2001.

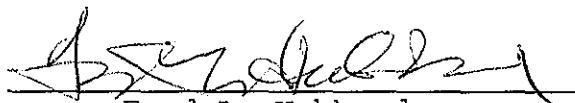
VERMILION COAL COMPANY, A
Delaware Corporation.

BY 
Fred L. Hubbard, Its Attorney

FRED L. HUBBARD
Attorney at Law
415 N. Gilbert Street
Danville, IL 61834-0012
Telephone (217) 446-0144

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above and foregoing referenced **Petition to Intervene** was served upon Sanjay K. Sofat, Assistant Counsel, IEPA, 1021 N. Grand Ave., East PO Box 19276, Springfield, IL 62794-9276; Black Beauty Coal Co., 414 South Fares Avenue, PO Box 312, Evansville, IN 47702-0312; and Albert F. Ettinger, Environmental Law & Policy Center, 35 E. Wacker Drive, Suite #1300, Chicago, IL 60601; by depositing a true copy of same in the U. S. Mail at Danville, Illinois, enclosed in a sealed envelope plainly addressed to the above-named persons at the above-stated addresses, postage fully prepaid, on March 2nd, 2001.


Fred L. Hubbard

FRED L. HUBBARD
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