

**RECEIVED**  
CLERK'S OFFICE

OCT 18 2007

STATE OF ILLINOIS  
Pollution Control Board

GEORGE R. STRUNK  
PCB 07-135  
OCTOBER 15, 2007

ILLINOIS POLLUTION CONTROL BOARD

THIS IS MY RESPONSE TO YOUR REQUEST FOR MORE INFORMATION ON SECTIONS 9a -9b-12a-12b-12d-and 24.

FOR 9a & 9b, I AM SENDING COPY OF REPORT FROM GEORGE GLASS, MARION OFFICE OF IEPA. CITING DUST FROM COAL STORAGE AND DIRT WORK TO THE EAST [RECLAMATION STOCK-PILE]. ALSO INCLUDED ARE PICTURES OF SCOTT ARNOLD-IEPA'S MARION OFFICE TAKING DUST SAMPLES FROM MY HOME'S ROOF AND MY OLD CAR. I AM AWAITING THE RESULTS OF TEST. THERE WAS A LOT OF BLACK DUST FOUND AS THE PICTURES SHOW. I AM ALSO INCLUDING SEVERAL MORE PHOTO'S WITH DATES AND DESCRIPTIONS OF WHERE OR WHAT THEY ARE. I AM INCLUDING A PORTION OF A JOURNAL I WAS KEEPING DESCRIBING WHAT IT HAS BEEN LIKE LIVING NEXT TO THIS MINE ON A DAY BY DAY BASIS.

FOR 12a, 12b, & 12d, I AM INCLUDING A NOTICE OF VIOLATION FROM THE IDNR, OFFICE OF MINES & MINERALS # 37-5-05. I'M SURE THEY COULD GIVE YOU MORE EXAMPLES AS COULD THE IEPA [IF THEY WERE SO INSTRUCTED].

AS FOR 24, ALL I CAN SEND YOU NOW IS A COPY OF MY DAILY JOURNAL. MY NEIGHBORS HAVE TAKEN NOISE LEVELS AT THEIR HOMES BUT I DO NOT HAVE ACCESS TO A NOISE METER. HOWEVER, I HAVE TAKEN A LOT OF VIDEO'S WHICH CLEARLY ALLOW A PERSON TO "SEE" AND "HEAR" THE VIOLATIONS OF NOISE POLLUTION THAT I HAVE TRIED TO DESCRIBE TO YOU. SCOTT ARNOLD OF THE MARION OFFICE OF IEPA HAS SEEN A PORTION OF ONE OF MY TAPES. I WOULD BE MORE THAN HAPPY TO MAKE ARRANGEMENTS FOR YOU TO VIEW THEM. HOWEVER, WHEN I SPOKE WITH [I believe] ACAROL WEBB OF THE IPCB, SHE SAID YOU HAD NO WAY TO VIEW IT. I WOULD BE GLAD TO TRY AND PUT IT ON A DVD IF THAT WILL HELP.

THE FOLLOWING IS: "JUST MY STATEMENT" !

I, GEORGE R. STRUNK, BELIEVE ALL THAT ALL I HAVE INCLUDED IN THIS PACKET TO BE CORRECT AND TRUE. IT IS MY BELIEF THAT THE IEPA WAS ESTABLISHED TO PROTECT OUR ENVIRONMENT. NOT THE POCKET-BOOK OF LARGE CORPORATIONS WHO WILFULLY DESTROY OUR ENVIRONMENT WITH AIR-NOISE AND WATER POLLUTION. THEY HAVE A HUGE BASE OF ATTORNEYS AND LEGAL COUNCIL TO ADVISE THEM HOW TO SLIP PAST THE REGULATIONS OF THE CLEAN AIR ACT. I, AS A PRIVATE CITIZEN MUST RELY ON THE SYSTEM AND HOPE THAT WE GET AN HONEST LOOK AT OUR COMPLAINTS. I HAVE REQUESTED OTHER DOCUMENTS, BUT THEY HAVE BEEN SLOW IN COMING. I CAN ONLY PRAY THAT YOU WILL TAKE A GOOD-HONEST LOOK AT WHAT I HAVE SENT.

THANK YOU

*George R. Strunk*



# Illinois Department of Natural Resources

One Natural Resources Way • Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

Rod R. Blagojevich, Governor

Joel Brunsvold, Director

January 3, 2006

Mr. Donald Holcomb  
Steelhead Development Company  
430 Harper Park Drive  
Beckley, West Virginia 25801

**RECEIVED**  
DEPT. OF NATURAL RESOURCES  
BENTON

JAN 04 2006

**Via Certified Mail**

Re: Notice of Violation No. 37-05-05

OFFICE OF MINES & MINERALS  
LAND RECLAMATION DIVISION

Dear Mr. Holcomb:

Pursuant to 62 Ill. Adm. Code 1845.12, the Department is hereby assessing Steelhead Development Company a penalty of \$1,225.00. A copy of the assessment, worksheets showing the computation of the assessment and the Notice of Violation for which the penalty is being assessed are attached hereto and incorporated herein by reference.

Please note that pursuant to Section 1845.18(a), you are required to pay this amount to the Office of Mines and Minerals within thirty days of receipt of this assessment. If, within this thirty day period, your company notifies the Department in writing that it will contest this matter then this payment will be placed in an escrow account pending completion of the proceedings.

Pursuant to Section 1845.18(b), failure to forward the assessed amount to the Department within thirty days of receipt of the proposed penalty assessment shall result in a waiver of all legal rights to contest both the fact of the violation and the amount of the penalty.

Sincerely,

Scott K. Fowler, Supervisor  
Land Reclamation Division

SKF:JSc:vb

Enclosures

cc: D. Martin ✓  
D. Pflederer  
OSMRE

J. Plumley

**VIOLATION ASSESSMENT WORKSHEET**

DATE: December 20, 2005

Company Name: Steelhead Development Company  
Company Address: P.O. Box 300, Johnston City, IL 62951  
Mine: Pond Creek #1 Permit No.: 375  
NOV or CO No.: 37-5-05 NOV or CO Date: 12-07-05

**Part I. History of Previous Violations**

A. Number of previous violations 0, x \$ 20 = \$ 00.00  
B. Number of previous cessations x \$ 100 = \$

**Part II. Seriousness of the Violation  
(complete Part A or B only)**

A. Event  
1. Probability of Occurrence (choose only one)  
\_\_\_ Occurred \$  
\_\_\_ Likely to occur \$  
X Unlikely to occur \$ 200.00  
\_\_\_ None or Insignificant \$  
2. Extent of Damage (choose only one)  
\_\_\_ Confined to permit \$  
X Extends off permit \$ 525.00  
B. Administrative (Failure to meet administrative requirements) \$

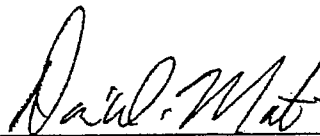
**Part III. Negligence (choose only one)**

\_\_\_ No negligence \$  
X Negligence \$ 500.00  
\_\_\_ Recklessness \$  
\_\_\_ Knowing and willful conduct \$

**Part IV. Good Faith**

A. Rapid Compliance \$ 0.00  
B. Extraordinary Measures \$ 0.00

TOTAL ASSESSMENT \$ 1,225.00



Authorized Representative

ASSESSMENT EXPLANATION

DATE: December 20, 2005

Company Name: Steelhead Development Company  
Company Address: P.O. Box 300, Johnston City, IL 62951  
Mine: Pond Creek #1 Permit No.: 375  
NOV or CO No.: 37-5-05 NOV or CO Date: 12-07-05

I. **History of Previous Violations:**

28-01-2005 11/16/2005 1817.46b)2)

II. **Seriousness:** (either A or B)

A. **Event**

1. **Probability of occurrence:** It was unlikely that the sediment basin would have had structural problems that would have caused a failure of the impoundment however, the water sample collected during this unauthorized discharge did reveal acidity greater than alkalinity and T.S.S. more three times the allowable limit. This drainage could eventually have an adverse affect on plant and animal life. Therefore, the higher value of \$200.00 was selected.

2. **Extent of Damage:** An impoundment failure did not occur however, the non-compliance drainage was allowed to extend outside of the permit area. As indicated, water samples confirmed a non-compliance discharge. Left unattended, future discharges could eventually have an adverse affect on the plant and animal life in receiving streams. Therefore the mid-range value of \$525.00 was selected.

B. **Administrative:**

III. **Negligence:** \$500.00 was selected as there were no compounding or mitigating circumstances that would justify a lesser value. The permittee had been made aware that the sediment ponds needed to be completed and as-built certifications submitted on the impoundments.

IV. **Good Faith:** No good faith effort was exhibited in abating this violation.

  
\_\_\_\_\_  
Authorized Representative

\* Violation not used in assessment.

**COPY**

Illinois Department of Natural Resources  
Office of Mines and Minerals - Land Reclamation Division  
One Natural Resources Way, Springfield, Illinois 62702-1271

NOTICE OF VIOLATION NO.: 37-5-05 PERMIT NO.: 375

COMPANY OR OPERATOR: Steelhead Development Co. UNIT NO.: 1224

MINE: Pond Creek #1 Surface        Underground   X    
Carbon Recovery        Other       

COUNTY(IES): Williamson MAILING ADDRESS: P.O. Box 300 Johnston City, IL 62951

DATE OF INSPECTION: December 07, 2005 TIME: 2:30 a.m. / p.m. TYPE OF INSPECTION: Partial

PERSON SERVED WITH CITATION: Sent Certified Mail 91 7108 2133 3931 2061 8440  
(Name and Title)

(Signature)\*

\*Signature acknowledges receipt only and does not concede violation alleged nor waive any rights.

NATURE OF THE VIOLATION:  
Sedimentation Pond 001 is discharging prior to the Department receiving a P.E. Certified as-built inspection report.

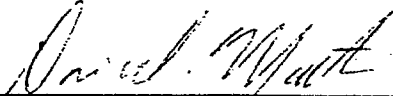
STATUTE SECTIONS OR REGULATIONS VIOLATED:  
62 ILL. Adm. Code Sec. 1817.46 b) 3)

AREA OF OPERATION AFFECTED: Permit area north-east of the return/intake shafts.

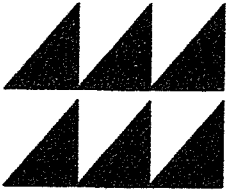
REMEDIAL ACTION REQUIRED AND TIME FOR ABATEMENT (Including Interim Steps, if any):  
By December 30, 2005 the permittee shall submit to the Department, an as-built certification on all sediment ponds completed to date.

The undersigned authorized representative finds that cessation of mining is not expressly or by necessary implication required by this Notice.

Date: December 07, 2005

  
Authorized Representative of the Director  
Illinois Department of Natural Resources  
Office of Mines and Minerals

Inspector No.: 37



**Williamson Energy, LLC**  
PO Box 99  
Johnston City, IL 62951  
Office: 618-983-3020 Fax: 618-983-3017

April 17, 2007

Illinois Department of Natural Resources  
Attn: Darin Martin  
503 East Main Street  
Benton, IL 62812

RE: Alleged Fugitive Coal Dust Complaint for Permit #375 on April 16, 2007

Mr. George Strunk, contacted Mach Mining, LLC, at 1:15 PM on April 16, 2007, alleging a cloud of fugitive coal dust migrating from the Pond Creek Mine's clean coal stacker and represented that this dust was causing damage to his and surrounding properties. He alleged that the dust cloud was occurring all morning and continuing at the time of his call to us at 1:15 PM.

We promptly proceeded to investigate his complaint. Our investigation revealed that on April 16, by coincidence, a NSPS Subpart Y – Opacity Performance Test was being performed by an independent certified consulting firm on all coal transfer infrastructure, which included the clean coal stacker. The inspection concluded that no non-compliant events had occurred on the property during the time of inspection. It may be of interest that the inspection of the clean coal stacking transfers point occurred during approximately 9:30 AM till 12:30 PM. The final report will be submitted in May 2007 to the IEPA- Division of Air Pollution Control in Springfield, IL.

Williamson's continual goal is to be in compliance with all requirements with regulatory agencies. Equally important is our commitment to the highest professional standards of operation and be a responsible neighbor in the community. However, we believe that Mr. Strunk's motives for his complaints are questionable and are tied directly to attempting to pressure Williamson Energy to purchase his property for an over inflated value.

Sincerely,

James Plumley  
Engineer  
Williamson Energy, LLC

cc: Ron Morris, IEPA

**REC**  
MAY 16 2007

IL Environmental Protection Agency  
MARION REGIONAL OFFICE

CONCERNED CITIZEN RECEIPT AND REPORT FORM  
IEPA/BOW/MINE POLLUTION CONTROL

CC Tracking No.: 07-08

Assigned To: GRG

County/ Nearest Town: Williamson/Pittsburg	Township / Section / Range: T.8S-R.3E	Subject  Dust and noise from coal mine
Inquiry Received by: <input type="checkbox"/> Letter <input checked="" type="checkbox"/> Phone <input type="checkbox"/> Other	Received By: George R. Glass	Date & Time Received: 8-13-07, 10:00 AM
Concerned Citizen's Name: George Strunk	Concerned Citizen's Address 16172 Liberty School Road	Concerned Citizen's Phone No. 618-983-8818

NATURE OF COMPLAINT: Dust from Williamson Energy Mine.

RESULTS OF INVESTIGATION: Observed coal dust off of stacker much as most other mines. I observed soil dust from north and east fields.

ACTION TO BE TAKEN: Requested that Jim Plumly add additional water spray capacity on moving equipment which was agreed to.



George R. Glass  
Environmental Protection Specialist  
BOW/Mine Pollution Control Program

BOW/MPCP/Marion ✓  
BOW/MPCP/Springfield  
Scott Arnold/BOA



# DAILY LOG

## OBSERVATIONS OF POND CREEK MINE #1 BY GEORGE OR DIANA STUNK

6-6-07 COAL COMING OFF RAW COAL BELT -  
MUCH DUST / EQUIPMENT ON ROAD BY PLANT  
PUT UP A HUGE DUST SCREEN (COULD BARELY SEE  
RAW COAL STACK) VISIBILITY TO NORTH AND EAST  
GS WAS HINDERED. WIND - SLIGHT FROM S-SE.

6-7-07  
GS STRONG WIND FROM SOUTH. DUST BLOWING  
FROM RAW COAL AND REFUSE. WATER CANNONS  
WERE ON AND THEY WERE WATERING ROADS.

6-8-07  
GS IT RAINED THIS MORNING - WINDS ARE NOW  
CALM 11AM. THEY'RE LOADING TRAIN SO I'M GETTING THE  
NOISE OF TRAIN AND THEIR DOZER PUSHING ON THE  
CLEAN COAL STOCKPILE. BACKUP ALARMS AND CLANKY-CLACK  
OF DOZER TRACK. NOT VERY ENJOYABLE TO SIT ON PORCH.

6-9-07  
GS NOT MUCH ACTIVITY TODAY - WINDS CALM - NOISE FROM  
BELTS OR PRE-PLANT - MAYBE ROCK BREAKER - LIGHTS / FAN

GS 6-10-07  
CONSTANT GROWLING SOUND - COULD BE FAN?  
OR CONVEYORS? LIGHTS BRIGHT - 10 PM.

6-11-07  
GS DIDN'T SEE MUCH DUST FROM COAL PILES. SOME DUST FROM  
TRAVEL WAYS. NOISE WASN'T BAD UNTIL LATE AT NIGHT.



6-12-07

NOISY ALL NIGHT LONG. DIFFICULT TO SLEEP.  
SOUNDED LIKE A BIG TRUCK PARKED NEXT TO HOUSE.  
GS. WOKE UP TO SOUNDS OF DOZER (CLACKETY-CLACK/BEEP BEEPS)  
AND ROAR OF SOMETHING ELSE? WENT OUT SIDE TO  
SMELL OF BURNING. THE MINE WAS BLURRED BY POLLUTANTS.

6-13-07

WENT TO BED AT 2 AM. WOKE UP AT 6:08  
NOISE OF DOZERS ON STOCK PILE WAS ALARMING.  
GS. COULDN'T GO BACK TO SLEEP. GOT UP AND RECORDED  
ACTIVITY ON TAPE. WILL TRY TO PUT IT ON DVD  
& SEND TO EPA-DNR-GOV. 7pm Fairly Quiet  
WATER SPRAY ON C. STACK. WIND FROM EAST  
NEIGHBORS SAY THEY CAN FEEL THE DUST. (VAN)

6-14-07

GS. HAD A TRAIN LAST NIGHT - NOISY - LEFT OUT  
ABOUT 11 AM. DOZER NOISE - LIGHT WIND.  
SEEN WATER SPRAYS ONCE.

6-15-07

I WAS GOING MOST OF THE DAY. THEY WERE  
WORKING ON ROADWAYS. DOZER NOISE AT 6:08 AM.  
HARD TO SLEEP IN. REGULAR BLOWER NOISE - PLANT.

GS 6-16-07

THEY MUST HAVE TAKEN TODAY OFF. NOT MUCH  
GOING ON. LIGHT WIND TO CALM. BLOWER-FAN NOISE

6-17-07

GS. MUST NOT BE WORKING SUNDAY - JUST NOISE OF  
BLOWER-FAN-OR CONVEYORS.

6-18-07

GS NOT TOO NOISY - LIGHT WIND FROM SOUTH.  
DUST BLOWING FROM RAW COAL - NO WATER SPRAYS ON  
HAZEY OVER REFUSE & MINE SITE.  
RANDY ATLEE SAID HE GOT THE DUST, N.E. CORNER

6-19-07

GS SAME OLD NOISE. NOT MUCH ACTIVITY AT MINE  
DOZER ON STACK. VERY NOISY AT 9PM WHILE  
KIPS & I WERE SWIMMING.

6-20-07

GS WORE UP TO CLACKITY-CLACK AND BEEP-BEEP  
OF EQUIPMENT. SLIGHT WIND - WATER SPRAYS ON.  
HAD A TRAIN LATE IN THE EVENING. THE NOISE  
OF DOZER FEEDING STACKER TUBES WAS EXTREMELY  
LOUD, MAKING AN ENJOYABLE EVENING OUTSIDE IMPOSSIBLE

6-21-07

GS ~~NOT~~ NORMAL NOISE - DOZER ACTIVITY - GOT A  
LITTLE LOUDER LATE IN THE DAY. DUSTY BY PORT

6-22-07

GS KIND OF QUIET - DOZER NOT RUNNING  
LIGHT BREEZE FROM SOUTH. RAW COAL STACKING

6-23-07

GS VERY 'QUIET' TODAY. ALMOST LIKE NO  
ONE THERE.

6-24-07

GS SUNDAY - CALM MOST OF THE DAY - NOT MUCH  
ACTIVITY - MINIMAL NOISE - (FAVOR CONVEYOR) STORM LATE

GS 6-25-07

RAIN EARLY - ABNORMALLY QUIET - SUNDAY  
MUST NOT HAVE WORKED THIS WEEKEND.

GS 6-26-07

THEY'RE BACK AT IT TODAY. DOZER NOISE -  
FAN OR CONVEYORS. THUNDER STORMS. WINDS VARIABLE

GS 6-27-28-29-07

HAD TO GET AWAY. TOO STRESSED OUT.

GS 6-30-07

WOKE UP TO DOZER AND PLANT NOISE  
FAN - EQUIPMENT.

GS 7-1-07

SAME OLD NOISES. FAN - CONVEYORS.

GS 7-2-07

NOISE A LITTLE LOUDER. WIND (SLIGHT)  
FROM N.E.

7-3-07

GS FAIRLY QUIET / NOISEY IN AFTERNOON  
SOUNDS LIKE FAN

7-04-07

GS. VERY QUIET - NO ACTIVITY - FAN/CONVEYOR  
NOISE.

7-05-07

GS THEY MUST BE ON VACATION - VERY LITTLE  
MOVEMENT. JUST FAN OR CONVEYOR NOISE.

GS 7-05/06/07/08 - 07 NO ACTIVITY - VAC.

GS 7-9-07  
BACK TO WORK. LIGHT WIND. DUST BLOWING  
FROM RAW COAL.

7-10-07

GS HAD TRAIN IN MORNING. COULDN'T STAND TO  
LISTEN TO IT. GOT AWAY FOR THE DAY.

7-11-07

LOT OF DUST OFF RAW COAL STACKER.  
GS. WIND BLOWING TO EAST-NORTHEAST.  
DOZER NOISE.

GS 7-12-07

ANOTHER TRAIN - DOZER NOISE.

GS 7-13-07

GS. LOTS OF TRUCKS <sup>(ROCK)</sup>. NOISY - BACK UP ALARMS.  
TRAIN ARRIVED MIDDLE OF NIGHT.

GS 7-14-07

LOADING TRAIN - DOZER-EQUIPMENT NOISE.

GS 7-15-07

WENT TO CHURCH - MINE MUST BE IDLE TODAY -