

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

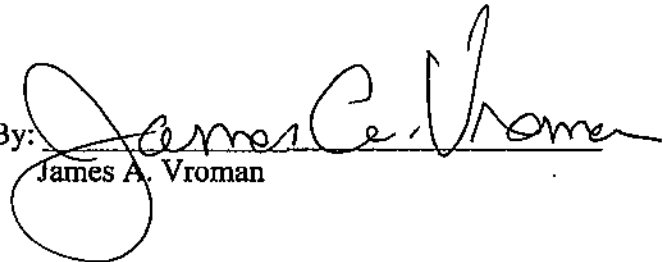
PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 FREEMAN UNITED COAL MINING )  
 COMPANY, LLC, )  
 a Delaware limited liability company, and )  
 SPRINGFIELD COAL COMPANY, LLC, )  
 a Delaware limited liability company, )  
 )  
 Respondents. )

**PCB NO. 10-061  
(Water Enforcement)**

**NOTICE OF ELECTRONIC FILING**

To: See Attached Service List

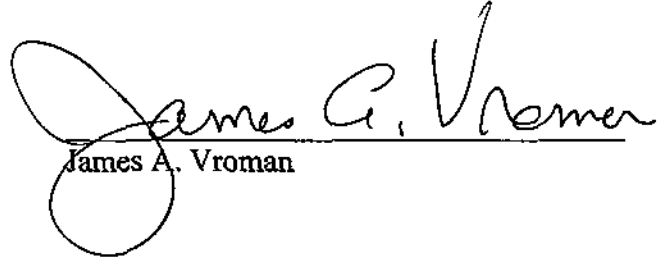
PLEASE TAKE NOTICE that on March 9, 2010, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, FREEMAN UNITED COAL MINING COMPANY, LLC'S RESPONSE TO MOTION TO INTERVENE, a copy of which is attached hereto and herewith served upon you.

By:   
 James A. Vroman

James A. Vroman  
 Jenner & Block LLP  
 Attorney for Respondent  
 Freeman United Coal Mining Company, LLC,  
 a Delaware limited liability company  
 353 N. Clark Street  
 Chicago, IL 60654-3456  
 312/923-2836

**CERTIFICATE OF SERVICE**

**NOW COMES** the Respondent, Freeman United Coal Mining Company, LLC, a Delaware limited liability company, and through its attorneys, and pursuant to the Board's procedural rules, provides proof of service of the attached FREEMAN UNITED COAL MINING COMPANY, LLC'S RESPONSE TO MOTION TO INTERVENE and NOTICE OF ELECTRONIC FILING upon the parties listed on the attached Service List, by having a true and correct copy affixed with proper postage placed in the U.S. Mail at Jenner & Block LLP, 353 North Clark Street, Chicago, IL 60654-3456, at or before 5:00 p.m., on March 9, 2010.



James A. Vroman

James A. Vroman  
Jenner & Block LLP  
Attorney for Respondent  
Freeman United Coal Mining Company, LLC,  
a Delaware limited liability company  
353 N. Clark Street  
Chicago, IL 60654-3456  
312/923-2964

Dated: March 9, 2010

**SERVICE LIST**

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

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

Dale A. Guariglia  
Pamela A. Howlett  
Dennis J. Gelner II  
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One Metropolitan Square  
211 North Broadway, Suite 3600  
St. Louis, MO 63102-2750

Jessica Dexter  
Environmental Law and Policy Center  
35 East Wacker Drive, Suite 1300  
Chicago, IL 60601

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

<b>PEOPLE OF THE STATE OF ILLINOIS,</b>	)	
	)	
<b>Complainant,</b>	)	
	)	
<b>v.</b>	)	<b>PCB NO. 10-061</b>
	)	<b>(Water Enforcement)</b>
<b>FREEMAN UNITED COAL MINING</b>	)	
<b>COMPANY, LLC,</b>	)	
<b>a Delaware limited liability company, and</b>	)	
<b>SPRINGFIELD COAL COMPANY, LLC,</b>	)	
<b>a Delaware limited liability company,</b>	)	
	)	
<b>Respondents.</b>	)	

**FREEMAN UNITED COAL MINING COMPANY, LLC'S**  
**RESPONSE TO MOTION TO INTERVENE**

Respondent, FREEMAN UNITED COAL MINING COMPANY, LLC ("Freeman United"), by its attorneys, hereby responds to the Motion to Intervene filed on behalf of Prairie Rivers Network and Sierra Club, Illinois Chapter, and states as follows:

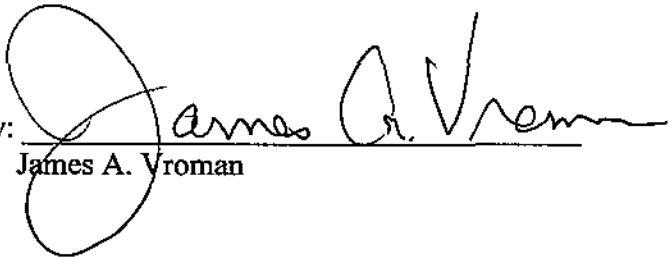
1. Prairie Rivers Network and Sierra Club, Illinois Chapter, seek permissive intervention as afforded by Section 101.402(d) of the Board's Procedural Rules, 35 Ill. Admin. Code 101.402(d).

2. Freeman United does not object to this intervention request.

WHEREFORE, Respondent, Freeman United, states that it has no objection to the Board granting Prairie Rivers Network and Sierra Club, Illinois Chapter's Motion to Intervene.

Respectfully submitted,

FREEMAN UNITED COAL MINING  
COMPANY, LLC

By:   
James A. Vroman

James A. Vroman  
Bill S. Forcade  
E. Lynn Grayson  
Jenner & Block LLP  
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353 N. Clark Street  
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312/923-2836

Dated: March 9, 2010