

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:

PRAIRIE RIVERS NETWORK,)
by and for its members,)
SIERRA CLUB, ILLINOIS)
CHAPTER, by and for its members)
)
)
Complainant,)
)
v.)
)
FREEMAN UNITED COAL)
MINING CO., L.L.C., and)
SPRINGFIELD COAL CO., L.L.C.)
)
Respondents.)

PCB 2010-061
(Enforcement-Water)

NOTICE OF ELECTRONIC FILING

To: Attached Service List

PLEASE TAKE NOTICE that on April 27, 2012, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, PRAIRIE RIVERS NETWORK AND SIERRA CLUB'S MOTION FOR SUMMARY JUDGMENT, a copy of which is attached hereto and herewith served upon you.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I, Jessica Dexter, hereby certify that I have filed the attached **NOTICE OF ELECTRONIC FILING** and **PRAIRIE RIVERS NETWORK AND SIERRA CLUB'S MOTION FOR SUMMARY JUDGMENT** in PCB 2010-061 upon the attached service list by depositing said documents in the United States Mail, postage prepaid, in Chicago, Illinois on April 27, 2012.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JD', with a long horizontal flourish extending to the right.

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PCB 2010-061
(Enforcement-Water)

**PRAIRIE RIVERS NETWORK AND SIERRA CLUB'S MOTION
FOR SUMMARY JUDGMENT**

Prairie Rivers Network (PRN) and Sierra Club (collectively, Petitioners) respectfully move for summary judgment pursuant to 35 Ill. Adm. Code 101.516 (b) on Count Two of their complaint, which was accepted by the Illinois Pollution Control Board (IPCB) on April 15, 2010. As reasons for this motion, Petitioners state that no genuine issue of material fact exists for any of the violations cited in these counts and, as a matter of law, Petitioners are entitled to summary judgment and the relief sought from the IPCB. Because undisputed Discharge Monitoring Reports filed with Illinois Environmental Protection Agency (IEPA) show 625 violations of NPDES permit effluent limits by Springfield Coal Co. LLC (Springfield Coal) and its predecessor Freeman United Coal Mining Co. LLC (Freeman) since 2004, and because these violations have gone unabated for years, the IPCB should find Springfield Coal and Freeman liable for such violations and impose the maximum civil penalty against the two companies in an amount totaling \$64,830,000.

STATEMENT OF UNCONTROVERTED FACTS

On July 21, 2003, the Illinois Environmental Protection Agency issued a final modified NPDES Permit No. IL0061247 ("the NPDES permit") to Freeman for discharges of pollution from the Industry Mine into waters of the state. (Exh. 1.) All discharges of water pollution from the Industry Mine must meet the terms of the NPDES permit. By its terms, the NPDES permit expired on February 28, 2004, but the NPDES permit has been administratively extended and all of the terms and conditions, including effluent limitations, continue to apply to discharges of the

Industry Mine. (Resp. to Pet'r PRN's First Requests to Admit, Interrogatories and Requests for Production of Documents from Springfield Coal ("Pet'r Discovery Request."), Request to Admit #1.)

The NPDES permit includes effluent limitations for eight pollutant parameters: iron, manganese, sulfates, total suspended solids (TSS), pH, settleable solids, acidity/alkalinity and chlorides. These effluent limits include daily maximum concentration limits for iron, manganese, sulfates, TSS, settleable solids and chlorides and 30-day average concentration limits for iron, manganese and TSS. The limit for pH is expressed as both a maximum and a minimum, and total acidity shall not exceed total alkalinity. The NPDES permit requires that the permittee regularly sample its discharges to assess compliance with these effluent limitations. Special Condition 3 of the NPDES permit requires the permittee to submit Discharge Monitoring Reports (DMRs) to IEPA indicating the results of these samples. (Exh. 1.)

The Industry Mine discharges these pollutants from 17 outfalls into Grindstone Creek, Willow Creek, Camp Creek and their unnamed tributaries. (Exh. 1.)

On August 31, 2007, Springfield Coal purchased the assets of the Industry Mine facility and began operation of the mine. (Springfield Coal Response to Pet'r Discovery Request ("Resp. to Pet'r Discovery Request"), Interrog. #1.) On this date, Springfield Coal assumed permit responsibility, coverage and liability for discharges of pollutants from the Industry Mine. (Resp. to Pet'r Discovery Request, Request for Production of Documents #3 and p. SC2052-53 of produced documents.)

Springfield Coal has either produced or verified a nearly complete set of DMRs for discharges dating from January 2004 to September 2011. (Exh. 2 and Resp. to Pet'r Discovery Request, Request to Admit #19 and Request for Production of Documents #1 (SC04-2051).) The DMRs reveal a chronic pattern of NPDES permit violations by the Industry Mine, as demonstrated by these facts:

- Discharges of pollution from the Industry Mine violated NPDES permit effluent limitations 625 times between January 2004 and September 2011.
- Violations occurred in all but one of the 90 months for which we have data.
- Violations occurred at all but one of the mine's 17 outfalls.
- Violations occurred for 9 of the 11 pollutant effluent limits that apply to the discharges.

(Exh. 2 and 3.)

Violations of effluent limits continue at the Industry Mine. To date, Springfield Coal has not submitted a compliance plan that addresses ongoing unlawful pollution from the mine.

STANDING

Pursuant to Section 31(d)(1) of the Illinois Environmental Protection Act and Article XI of the Illinois Constitution, both Prairie Rivers Network (PRN) and Sierra Club have associational standing to seek administrative review of Springfield Coal's compliance with NPDES permit No. IL0061247. Associational standing is conferred directly by Section 31(d)(1) of the Illinois Environmental Protection Act, which authorizes any person to file a complaint with the Illinois

Pollution Control Board against any person allegedly violating the Act, any rule or regulation adopted under the Act, or any permit or term or condition thereof. 415 ILCS 5/31(d)(1) (2010). The statute specifically defines a “person” to include an “association.” 415 ILCS 5/3.315 (2010). Therefore, standing for both PRN and Sierra Club is established by the statute underlying the cause of action.

In addition, Article XI of the 1970 Illinois constitution provides, “Each person has the right to a healthful environment. Each person may enforce this right against any party, governmental or private, through appropriate legal proceedings subject to reasonable limitation and regulation as the General Assembly may provide by law.” ILL. CONST. art. XI, § 2. This constitutional right eliminates the need for individual plaintiffs to demonstrate personalized injuries in actions seeking to protect a healthful environment. *See Glisson v. City of Marion*, 188 Ill. 2d 211, 228 (Ill. 1999) (“It was the intent of the committee to broaden the law of standing by eliminating the traditional special injury prerequisite for standing to bring an environmental action.”).

STANDARD OF REVIEW

Section 101.516(b) of the Board's procedural rules for enforcement actions provide, “If the record, including pleadings, depositions and admissions on file, together with any affidavits, shows that there is no genuine issue of material fact, and that the moving party is entitled to judgment as a matter of law, the Board will enter summary judgment.” 35 Ill. Adm. Code 101.516 (b) (2010). *Accord* 735 ILCS 5/2-1005(c) (2010). Summary judgment may be granted “on the issue of liability alone although there is a genuine issue as to the amount of damages.” 735 ILCS 5/2-1005(c) (2010). *See also Env'tl. Site Developers, Inc. v. White & Brewer Trucking, Inc.*, PCB No. 96-180 (Nov. 20, 1997). Once the movant provides evidence showing that it is entitled to judgment as a matter of law, the burden shifts to the party opposing the motion to demonstrate that there exists a genuine issue of material fact. *Id.* (quoting *In re Estate of Sewart*, 236 Ill. App.3d 1, 8 (1st Dist. 1992)).

ARGUMENT

I. Freeman and Springfield Coal violated Section 12(f) of the Act by discharging pollutants into waters of the State in violation of the terms and conditions of NPDES Permit No. IL0061247

Discharges of water pollution from the Industry Mine have violated NPDES permit effluent limits consistently for many years. Springfield Coal and Freeman admit these discharges in the signed Discharge Monitoring Reports as described below. Accordingly, the IPCB should find that as a matter of law Springfield Coal and Freeman are liable, respectively, for 342 and 283 violations of the Illinois Environmental Protection Act.

Section 12(f) of the Illinois Environmental Protection Act (“the Act”), 415 ILCS 5/12(f) (2010), provides that no person shall: “Cause, threaten or allow the discharge of any contaminant into the waters of the State, as defined herein, including ... from any point source within the State, without an NPDES permit for point source discharges issued by the Agency under Section 39(b) of this Act, or in violation of any term or condition imposed by such permit, or in violation of

any NPDES permit filing requirement established under Section 39(b), or in violation of any regulations adopted by the Board with respect to the NPDES program.”

a. Violations of Effluent Limits for Iron

The NPDES permit (Exh. 1) imposes on the Industry Mine both monthly average and daily maximum effluent limitations for discharge of iron into the receiving streams. The mine has violated iron effluent limitations a total of 81 times: 40 by Springfield Coal and 41 by Freeman.

A monthly average of 3.5 mg/L iron applies to Outfalls 003 and 018. (Resp. to Pet'r Discovery Request, Request to Admit #8). Discharge Monitoring Reports (DMRs) submitted by the permittee show monthly average discharges of iron from these outfalls in excess of the effluent limit:

- 3 times between January 2004 and August 31, 2007 (while Freeman operated the mine) and
- 2 times between September 2007 and September 2011 (since Springfield Coal took over).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 1 and Exhibit 4, p. 1.

A monthly average of 3.0 mg/L iron applies to Outfalls 024W, 026, 029, 031, 032, 033 and 035. (Resp. to Pet'r Discovery Request, Request to Admit #7). Discharge Monitoring Reports (DMRs) submitted by the permittee show monthly average discharges of iron from these outfalls in excess of the effluent limit:

- 12 times between January 2004 and August 31, 2007 (Freeman) and
- 19 times between September 2007 and September 2011 (Springfield Coal).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 2 and Exhibit 4, p. 2.

A daily maximum of 7.0 mg/L iron applies to Outfalls 003, 017 and 018. (Resp. to Pet'r Discovery Request, Request to Admit #6). Discharge Monitoring Reports (DMRs) submitted by the permittee show daily maximum discharges of iron from these outfalls in excess of the effluent limit:

- 7 times between January 2004 and August 31, 2007 (Freeman) and
- 3 times between September 2007 and September 2011 (Springfield Coal).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 3 and Exhibit 4, p. 3.

A daily maximum of 6.0 mg/L iron applies to Outfalls 024W, 026, 029, 031, 032 and 033. (Resp. to Pet'r Discovery Request, Request to Admit #5). Discharge Monitoring Reports (DMRs) submitted by the permittee show daily maximum discharges of iron from these outfalls in excess of the effluent limit:

- 19 times between January 2004 and August 31, 2007 (Freeman) and
- 16 times between September 2007 and September 2011 (Springfield Coal).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 4 and Exhibit 4, p. 4.

b. Violations of Effluent Limits for Manganese

The NPDES permit (Exh. 1) imposes on the Industry Mine both monthly average and daily maximum effluent limitations for discharge of manganese into the receiving streams. The mine has violated manganese effluent limitations a total of 237 times: 135 by Springfield Coal and 102 by Freeman.

A monthly average of 2.0 mg/L manganese applies to Outfalls 003, 009, 018, 019, 024W and 026. (Resp. to Pet'r Discovery Request, Request to Admit #15). Discharge Monitoring Reports (DMRs) submitted by the permittee show monthly average discharges of manganese from these outfalls in excess of the effluent limit:

- 52 times between January 2004 and August 31, 2007 (Freeman) and
- 76 times between September 2007 and September 2011 (Springfield Coal).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 5-8 and Exhibit 4, p. 5.

A daily maximum of 4.0 mg/L manganese applies to Outfalls 003, 018, 019 and 026. (Resp. to Pet'r Discovery Request, Request to Admit #14). Discharge Monitoring Reports (DMRs) submitted by the permittee show daily maximum discharges of manganese from these outfalls in excess of the effluent limit:

- 50 times between January 2004 and August 31, 2007 (Freeman) and
- 59 times between September 2007 and September 2011 (Springfield Coal).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 9-11 and Exhibit 4, p. 6.

c. Violations of Effluent Limits for Sulfates

The NPDES permit (Exh. 1) imposes on the Industry Mine daily maximum effluent limitations for discharge of sulfates into the receiving streams. The mine has violated sulfates effluent limitations a total of 232 times: 124 by Springfield Coal and 108 by Freeman.

A daily maximum of 1800 mg/L sulfates applies to Outfalls 018 and 019. (Resp. to Pet'r Discovery Request, Request to Admit #12). Discharge Monitoring Reports (DMRs) submitted by the permittee show daily maximum discharges of sulfates from these outfalls in excess of the effluent limit:

- 25 times between January 2004 and August 31, 2007 (Freeman) and
- 34 times between September 2007 and September 2011 (Springfield Coal).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 12-13 and Exhibit 4, p. 7.

A daily maximum of 1100 mg/L sulfates applies to Outfalls 003, 009 and 030. (Resp. to Pet'r Discovery Request, Request to Admit #11). Discharge Monitoring Reports (DMRs) submitted by the permittee show daily maximum discharges of sulfates from these outfalls in excess of the effluent limit:

- 55 times between January 2004 and August 31, 2007 (Freeman) and
- 49 times between September 2007 and September 2011 (Springfield Coal).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 14-16 and Exhibit 4, p. 8.

A daily maximum of 500 mg/L sulfates applies to Outfalls 024W, 026 and 027. (Resp. to Pet'r Discovery Request, Request to Admit #10). Discharge Monitoring Reports (DMRs) submitted by the permittee show daily maximum discharges of sulfates from these outfalls in excess of the effluent limit:

- 28 times between January 2004 and August 31, 2007 (Freeman) and
- 41 times between September 2007 and September 2011 (Springfield Coal).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 17-18 and Exhibit 4, p. 9.

d. Violations of Effluent Limits for Total Suspended Solids

The NPDES permit (Exh. 1) imposes on the Industry Mine both monthly average and daily maximum effluent limitations for discharge of total suspended solids (TSS) into the receiving streams. The mine has violated TSS effluent limitations a total of 52 times: 30 by Springfield Coal and 22 by Freeman.

A monthly average of 35 mg/L TSS applies to Outfalls 002, 003, 009, 018, 019, 026, 029, 031, 032, 033 and 035. (Resp. to Pet'r Discovery Request, Request to Admit #3). Discharge Monitoring Reports (DMRs) submitted by the permittee show monthly average discharges of TSS from these outfalls in excess of the effluent limit:

- 14 times between January 2004 and August 31, 2007 (Freeman) and
- 24 times between September 2007 and September 2011 (Springfield Coal).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 19-21 and Exhibit 4, p. 10.

A daily maximum of 70 mg/L TSS applies to Outfalls 002, 003, 009, 018, 019, 026, 029, and 031. (Resp. to Pet'r Discovery Request, Request to Admit #2). Discharge Monitoring Reports (DMRs) submitted by the permittee show daily maximum discharges of TSS from these outfalls in excess of the effluent limit:

- 8 times between January 2004 and August 31, 2007 (Freeman) and
- 6 times between September 2007 and September 2011 (Springfield Coal).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 22-23 and Exhibit 4, p. 11.

e. Violations of Effluent Limits for pH

The NPDES permit (Exh. 1) imposes on the Industry Mine both maximum and minimum pH effluent limitations for discharges into the receiving streams. The mine has violated the pH effluent limitations a total of 19 times: 12 by Springfield Coal and 7 by Freeman.

The NPDES permit requires that pH from discharges from all outfalls shall not be less than 6.0 nor greater than 9.0. (Resp. to Pet'r Discovery Request, Request to Admit #9). Discharge Monitoring Reports (DMRs) submitted by the permittee show that the pH of discharges from

Outfalls 002, 019, 021, 022, 024W, 026, 027 and 030 exceeded the maximum or minimum effluent limit:

- 7 times between January 2004 and August 31, 2007 (Freeman) and
- 12 times between September 2007 and September 2011 (Springfield Coal).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 24 and Exhibit 4, p. 12.

f. Violations of Effluent Limits for Setttable Solids

The NPDES permit (Exh. 1) imposes on the Industry Mine a daily maximum effluent limitation for discharge of setttable solids into the receiving streams. The mine has violated setttable solids effluent limitations a total of 4 times: 1 by Springfield Coal and 3 by Freeman.

A daily maximum of 0.5 mL/L setttable solids applies to Outfalls 021 and 030. (Resp. to Pet'r Discovery Request, Request to Admit #4). Discharge Monitoring Reports (DMRs) submitted by the permittee show daily maximum discharges of setttable solids from these outfalls in excess of the effluent limit:

- 3 times between January 2004 and August 31, 2007 (Freeman) and
- 1 time between September 2007 and September 2011 (Springfield Coal).

These violations, including the citations to the DMRs, are depicted in Exhibit 3, p. 25 and Exhibit 4, p. 13.

There is no genuine issue of material fact as to whether Springfield Coal and Freeman repeatedly discharged iron, manganese, sulfates, pH, total suspended solids and setttable solids from the Industry Mine in excess of the effluent limitations imposed by NPDES Permit No. IL0061247, as modified July 21, 2003. Therefore, as a matter of law, Springfield Coal and Freeman each violated Section 12(f) of the Act, 415 ILCS 5/12(f) (2010), numerous times by causing "the discharge of any contaminant into the waters of the State . . . in violation of any term or condition imposed by [an NPDES] permit." Accordingly, the Board should find Springfield Coal and Freeman liable for a total of 625 violations of Section 12(f) of the Act and assess penalties Petitioners request below.

II. The Board should order Springfield Coal to cease and desist from future violations and assess the maximum civil penalty against Springfield Coal and Freeman.

The Industry Mine has one of the worst track records of permit compliance Petitioners have ever seen. The violations began soon after the mine opened, continued through the entirety of the mine's operation by Freeman, were not remedied when the mine was reorganized as Springfield Coal, and have persisted for over two years after this enforcement action was filed at the IPCB. Violations of Industry Mine's NPDES permit effluent limitations are documented in all but one of the 90 months for which we have data, from all but one of the mine's 17 outfalls, and for 9 of the 11 pollutant effluent limits that apply to the discharges. (See Exhs. 2, 3 and 4.) Despite this enforcement action and repeated notices of violation issued to the mine over the years by Illinois EPA and Illinois DNR, Springfield Coal still has not produced a serious plan to remedy the violations of its existing permit. Instead of hiring a consultant to develop a compliance solution,

Springfield Coal has attempted to rationalize its ongoing level of noncompliance as unimportant. This blatant disregard for the authority of the regulations under which the mine operates cannot be tolerated. Therefore Petitioners ask the Illinois Pollution Control Board to require Springfield Coal to respect the rule of law by imposing penalties to the maximum extent available under the Illinois Environmental Protection Act.

A. Applicable law regarding assessment of penalties

Section 33 of the Act, 415 ILCS 5/33 (2012), requires that upon finding a violation of the Act, the Board shall issue a final order which may include “a direction to cease and desist from violations of this Act, any rule or regulation adopted under this Act, any permit or term or condition of a permit, or any Board order, and/or the imposition by the Board of civil penalties in accord with Section 42 of this Act. The Board may also revoke the permit as a penalty for violation. If such order includes a reasonable delay during which to correct a violation, the Board may require the posting of sufficient performance bond or other security to assure the correction of such violation within the time prescribed.” 415 ILCS 5/33(b) (2012).

The Act includes several factors for the Board to consider in assessing penalties, “including, but not limited to:

- (i) the character and degree of injury to, or interference with the protection of the health, general welfare and physical property of the people;
- (ii) the social and economic value of the pollution source;
- (iii) the suitability or unsuitability of the pollution source to the area in which it is located, including the question of priority of location in the area involved;
- (iv) the technical practicability and economic reasonableness of reducing or eliminating the emissions, discharges or deposits resulting from such pollution source; and
- (v) any subsequent compliance.”

415 ILCS 5/33(c) (2012).

If the Board opts to assess a civil penalty, the Act authorizes the Board to consider “any matters of record in mitigation or aggravation” of the violation. These factors may include, but are not limited to:

- the duration and gravity of the violation, 415 ILCS 5/42(h)(1) (2012);
- the presence or absence of due diligence on the part of the respondent in attempting to comply with requirements of this Act and regulations thereunder or to secure relief therefrom as provided by this Act, 415 ILCS 5/42(h)(2) (2012);
- any economic benefits accrued by the respondent because of delay in compliance with requirements, in which case the economic benefits shall be determined by the lowest cost alternative for achieving compliance, 415 ILCS 5/42(h)(3) (2012);
- the amount of monetary penalty which will serve to deter further violations by the respondent and to otherwise aid in enhancing voluntary compliance with this Act by the respondent and other persons similarly subject to the Act, 415 ILCS 5/42(h)(4) (2012).

B. The Board should order Springfield Coal to cease and desist from future violations of the Act.

Given that Springfield Coal refuses to take further action to remedy its ongoing permit violations, Petitioners ask the Board to use its authority under 415 ILCS § 5/33(b) to order Springfield Coal to cease and desist from any future violations of the Act and the Board's regulations.

Here, the Section 33(c) factors warrant an order from the Board to cease and desist from future violations of the NPDES permit for the Industry Mine. Springfield Coal's continuous permit violations and refusal to come into compliance with the terms of its permit ---even two years after Petitioners sent the mine a notice of intent to sue for violations of its permit---demonstrates that Springfield Coal will continue to violate the provisions of its NPDES permit unless the Board issues a cease and desist order. The cease and desist order is also necessary to deter violations at other mines, including several that are operated by Springfield Coal. As the IPCB has recognized in other cases, a cease and desist order will "have a prospective deterrent effect on current and future Act violators," thus "serving the purposes of the Act." *Illinois v. State Oil Co.*, PCB No. 97-103 (March 20, 2003); *see Illinois v. Bernice Kershaw*, PCB No. 92-164 (April 20, 1995) (ordering polluter to cease and desist from further violations of the Act after finding the polluter operated without an NPDES permit for eight years and violated discharge standards for BOD₅ and suspended solids for at least nine years).

C. The Board should assess maximum civil penalties against Springfield Coal and Freeman

In addition to warranting an order to cease and desist, the Section 33(c) factors favor the assessment of civil penalties against Springfield Coal. *Envtl. Site Developers v. White & Brewer Trucking*, PCB No. 96-180 (Nov. 20, 1997) (stating that Section 33(c) factors are relevant to determining whether a cease and desist order is appropriate and whether monetary penalties are appropriate). The award of civil penalties "serves the legislative purpose of aiding enforcement of the Act, for through penalties upon those who blatantly disregard applicable rules and regulations, others, who might consider cutting corners at the expense of the environment, are deterred." *Wasteland, Inc. v. Illinois Pollution Control Bd.*, 118 Ill. App. 3d 1041, 1055 (3d Dist. 1983). *See also People v. McHenry Shores Water Co.*, 295 Ill. App. 3d 628, 638 (2d Dist. 1998).

Civil penalties should reflect the severity of the violations of the Act. *Southern Illinois Asphalt Co., Inc. v. Illinois Pollution Control Bd.*, 60 Ill. App. 2d 204, 208 (5th Dist. 1975). Given 1) the need to deter future violations, 2) the years of noncompliance, 3) the extent of the violations, 4) the refusal to comply with the permit, and 5) the economic benefit gained by not complying with the mine's NPDES permit, the Board should assess the maximum civil penalty allowed under the law.

The maximum dollar amount for which Springfield Coal is liable is \$38,510,000. The maximum dollar amount for which Freeman is liable is \$26,320,000.

These figures were calculated by multiplying a \$10,000 per day penalty by each of the violations described above. *See* 415 ILCS § 5/42(b)(1) (2010) ("Any person that violates Section 12(f) of

this Act or any NPDES permit or term or condition thereof . . . shall be liable to a civil penalty of not to exceed \$10,000 per day of violation.”). In accordance with past IPCB practice, “where a monthly average violation occurred, a penalty may be imposed for every day of that month.” *IEPA v. City of Moline*, PCB 82-154 (Ill. Pol. Control Bd., Sept 6, 1984). Similarly, a single sample taken in a given month can violate both the daily and monthly limitation, *Natural Res. Def. Council, Inc. v. Outboard Marine Corp.*, 692 F. Supp. 801, 821 (N.D. Ill. 1988); separate violations can occur on the same day from different outfalls, *Id.* and *United States v. Gulf State Steel, Inc.*, 54 F. Supp. 2d 1233, 1240 n.10, 1245 (N.D. Alabama, 1999) (holding a polluter can be held liable for violating NPDES permit effluent limitations at multiple outfalls); and for different pollutant parameters. *United States v. Smithfield Foods, Inc.*, 191 F.3d 516, 527–28 (4th Cir. 1999) (upholding the district courts holding that “the different pollutants and their daily maximum and monthly average loading limits are separate requirements listed in the Permit and therefore represent distinct violations”). Exhibit 3 shows how the maximum penalty was calculated for each effluent limitation.

The maximum penalty is necessary to deter further violations from this mine, these operators, and mines throughout Illinois. Springfield Coal operates not only the Industry Mine, but the Buckheart mine in Fulton County, the Crown II and Crown III mines in Macoupin County, the Fidelity Mine in Perry County, and the Orient III, Orient IV and Orient VI mines in Jefferson and Williamson Counties (Exh. 6), not including two new mines currently seeking permits (North Canton and Littleton). Allowing the Industry Mine to operate from start to finish without ever complying with its NPDES permit limits would send the wrong message to Springfield Coal, Freeman and the approximately forty (See Exh. 6) other coal mine operators in the state of Illinois.

The maximum penalty is also warranted because the Industry Mine has been violating its NPDES permit effluent limits for more than eight years. *See e.g., Illinois v. State Oil Co.*, PCB No. 97-103 (March 20, 2003) (“A recurring discharge . . . over a period of years is not reasonable and suggests that a civil penalty is appropriate.”). Violations of Industry Mine’s NPDES permit effluent limitations are documented in all but one of the 90 months for which we have data, from all but one of the mine’s 17 outfalls, and for 9 of the 11 pollutant effluent limits that apply to the discharges. (See Exhs. 2, 3 and 4) This extensive and ongoing record of violations demonstrates a lack of diligence in attempting to comply with the effluent limits imposed by the NPDES permit.

In the years they each operated the Industry Mine, both Freeman and Springfield Coal failed to appreciably reduce the frequency of the mine’s permit violations. Nonetheless, “Springfield Coal believes that the treatment methods it is currently employing are sufficient to achieve full compliance.” (Resp. to Pet’r Discovery Request, Interrog. #2.) IPCB needs to send a strong message to Springfield Coal that it cannot continue to violate its NPDES permit effluent limits without consequence.

Illinois law mandates that “the Board shall ensure, in all cases, that the penalty is at least as great as the economic benefits, if any, accrued by the respondent as a result of the violation” 415 ILCS 5/42(h)(4) (2012). The economic benefit accruing to Springfield Coal as a consequence of its past and present violations is substantial. First, the mine gained, and continues to enjoy, an

economic advantage over competing Illinois mines by failing to abide by state law. Other Illinois coal mines manage to comply with the terms and conditions of their NPDES permits, sometimes incurring costs of technology, installation, staff or consultants. The mine neglected to take necessary action for years, so the civil penalty should reflect at a minimum the real, present value of those avoided expenditures compounded with interest.

Finally, and most frustrating to the citizens that suffer the downstream effects of the unlawful pollution from the mine, the Industry Mine has received over \$1,000,000 in taxpayer money through Illinois Coal Competitiveness Grants. (Exh. 7, p. 14-15 (Grants 97-48-113 and 03-48310)) The mine should not be allowed to keep the benefit of the state's money while it has consistently refused to comply with the state's laws. Accordingly, the penalty assessed by the IPCB should also seek to recoup the state's investment in the mine.

CONCLUSION

There is no genuine issue of material fact as to whether Springfield Coal and Freeman repeatedly discharged iron, manganese, sulfates, pH, and total suspended solids and settleable solids from the Industry Mine in excess of the effluent limitations imposed by NPDES Permit No. IL0061247, as modified July 21, 2003. Therefore, as a matter of law, IPCB should find Springfield Coal liable for 342 violations of 415 ILCS 5/12(f) and Freeman liable for 283 violations. When assessing penalties, the IPCB should consider many aggravating factors that justify a cease and desist order against Springfield Coal and the imposition of the maximum civil penalty against both Springfield Coal (\$38,510,000) and Freeman (\$26,320,000).

Respectfully Submitted,



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35 East Wacker Drive, Ste. 1300
Chicago, IL 60601
312-795-3747

Exhibit 1

Final modified NPDES Permit No. IL0061247 (July 21,
2003)

NPDES Permit No. IL0061247

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: February 28, 2004

Issue Date: April 2, 1999

Effective Date: April 2, 1999

Modification Date: March 9, 2000

Modification Date: December 11, 2000

Modification Date: July 21, 2003

Name and Address of Permittee:

Freeman United Coal Mining Company
1480 East 1200th Street
P.O. Box 260
Industry, IL 61440

Facility Name and Address:

Freeman United Coal Mining Company
Industry Mine
5 miles southwest of Industry, Illinois
(McDonough and Schuyler Counties)

Discharge Number and Name:

002 - Acid Mine Drainage
Discharge from Preparation Plant

003-Surface Acid Mine Drainage

018, 019, 020, 021-Surface Acid Mine Drainage

009, 024W, 026-Surface Acid Mine Drainage

022-Surface Acid Mine Drainage

029, 030-Alkaline Mine Drainage

031, 032, 033, 035-Alkaline Mine Drainage

004, 005, 006, 007, 008
010, 011 - Reclamation Area Drainage

027-Reclamation Area Drainage

017-Stormwater Discharge

Receiving waters

Unnamed tributary to Grindstone Creek

Grindstone Creek

Unnamed tributary to Grindstone Creek

Willow Creek

Unnamed tributary to Camp Creek

Unnamed tributary to Willow Creek

Grindstone Creek

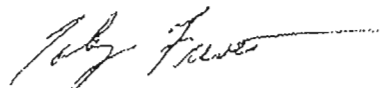
Grindstone Creek

Willow Creek

Grindstone 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.



Toby Frevert, Manager
Division of Water Pollution Control
Bureau of Water

REM:LDC:jkb/2728c/03-31-03

NPDES Coal Mine Permit
 NPDES Permit No. IL0061247
 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 February 28, 2004 the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfalls*: 018, 019 (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		1800	***
Chlorides		500	***
Manganese (total)	2.0 4.0	***	Grab

*Outfalls permitted herein are also subject to the limitations and monitoring and reporting requirements of Special Condition No. 11.

*** 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 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 2-year, 24-hour precipitation event for this area is considered to be 3.02 inches.

Pollutant or Pollutant Property	Effluent Limitations
Iron	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 instead of those in 35 Ill. Adm. Code 406.106(b).

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

In accordance with 35 Ill. Adm. Code 406.110(d), 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 10-year, 24-hour precipitation event for this area is considered to be 4.45 inches.

Pollutant or Pollutant Property	Effluent Limitations
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 February 28, 2004 the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfalls: 020, 021, 022, 024W, 026 (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
Sulfates			500	***	Grab
Chlorides			500	***	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 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 2-year, 24-hour precipitation event for this area is considered to be 3.02 inches.

<u>Pollutant or Pollutant Property</u>	<u>Effluent Limitations</u>
Iron	6.0 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 instead of those in 35 Ill. Adm. Code 406.106(b).

<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

In accordance with 35 Ill. Adm. Code 406.110(d), 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 10-year, 24-hour precipitation event for this area is considered to be 4.45 inches.

<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. IL006i247
 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 February 28, 2004 the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfalls*: 002 (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			1100	***	Grab
Chlorides			500	***	Grab
Manganese (total)		2.0	4.0	***	Grab

*Outfalls permitted herein are also subject to the limitations and monitoring and reporting requirements of Special Condition No. 11.

*** 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 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 1-year, 24-hour precipitation event for this area is considered to be 2.52 inches.

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

In accordance with 35 Ill. Adm. Code 406.110(d), 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 10 year, 24 hour precipitation event is considered to be 4.45 inches.

<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		

From the effective date of this Permit until February 28, 2004 the effluent of the following discharge(s) shall be monitored and limited at all times as follows:

Outfalls*: 003, 009 (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				1100	***	Grab
Chlorides				500	***	Grab
Manganese (total)			2.0	4.0	***	Grab

*Outfalls permitted herein are also subject to the limitations and monitoring and reporting requirements of Special Condition No. 11.

*** 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 2-year, 24-hour precipitation event for this area is considered to be 3.02 inches.

Pollutant or Pollutant Property	Effluent Limitations
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 instead of those in 35 Ill. Adm. Code 406.106(b).

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

In accordance with 35 Ill. Adm. Code 406.110(d), 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 10-year, 24-hour precipitation event for this area is considered to be 4.45 inches.

Pollutant or Pollutant Property	Effluent Limitations
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 February 28, 2004 the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfalls*: 029, 030, 031, 032, 033, 035 (Alkaline 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		1/month	Grab
Alkalinity/Acidity	Total acidity shall not exceed total alkalinity		1/month	Grab
Sulfates		1100	***	Grab
Chlorides		500	***	Grab

*Outfalls permitted herein are also subject to the limitations and monitoring and reporting requirements of Special Condition No. 11.

*** 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 10-year, 24-hour precipitation event for this area is considered to be 4.45 inches.

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

In accordance with 35 Ill. Adm. Code 406.110(a), 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 instead of those in 35 Ill. Adm. Code 406.106(b).

Pollutant or Pollutant Property	Effluent Limitations
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 February 28, 2004 the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfalls: 004, 008, 027 (Reclamation Area Drainage)

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		500	1/month Grab
Chlorides		500	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).

In accordance with 35 Ill. Adm. Code 406.109(c), 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 10 year, 24 hour precipitation event for this area is considered to be 4.45 inches.

<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 February 28, 2004 the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfalls*: 006 (Reclamation Area Drainage)

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		1100	1/month Grab
Chlorides		500	1/month Grab

*Outfalls permitted herein are also subject to the limitations and monitoring and reporting requirements of Special Condition No. 11.

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).

In accordance with 35 Ill. Adm. Code 406.109(c), 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 10 year, 24 hour precipitation event for this area is considered to be 4.45 inches.

<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 February 28, 2004 the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfalls*: 005, 007, 010, 011 (Reclamation Area Drainage)

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		1800	1/month Grab
Chlorides		500	1/month Grab

*Outfalls permitted herein are also subject to the limitations and monitoring and reporting requirements of Special Condition No. 11.

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).

In accordance with 35 Ill. Adm. Code 406.109(c), 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 10 year, 24 hour precipitation event for this area is considered to be 4.45 inches.

<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 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: 020, 021, 022, 024W, 026 (Reclamation Area Drainage)

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		500	1/month Grab
Chlorides		500	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).

In accordance with 35 Ill. Adm. Code 406.109(c), 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 10 year, 24 hour precipitation event for this area is considered to be 4.45 inches.

Pollutant or Pollutant Property
 pH

Effluent Limitations
 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 No. 8 and approval from the Agency, the effluent of the following discharges shall be monitored and limited at all times as follows:

Outfalls*: 002, 003, 009, 029, 030, 031, 032, 033, 035 (Reclamation Area Drainage)

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		1100	1/month Grab
Chlorides		500	1/month Grab

*Outfalls permitted herein are also subject to the limitations and monitoring and reporting requirements of Special Condition No. 11.

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).

In accordance with 35 Ill. Adm. Code 406.109(c), 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 instead of those in 35 Ill. Adm. Code 406.106(b). The 10 year, 24 hour precipitation event for this area is considered to be 4.45 inches.

Pollutant or Pollutant Property
 pH

Effluent Limitations
 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		

Upon completion of Special Condition No. 8 and approval from the Agency, the effluent of the following discharges shall be monitored and limited at all times as follows:

Outfalls*: 018, 019 (Reclamation Area Drainage)

Flow (MGD)		Measure When Monitoring	
Settleable Solids		0.5 m/l	1/month Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0		1/month Grab
Sulfates		1800	1/month Grab
Chlorides		500	1/month Grab

*Outfalls permitted herein are also subject to the limitations and monitoring and reporting requirements of Special Condition No. 11.

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).

In accordance with 35 Ill. Adm. Code 406.109(c), 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 instead of those in 35 Ill. Adm. Code 403.106(b). The 10 year, 24 hour precipitation event for this area is considered to be 4.45 inches.

<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 February 28, 2004 the effluent of the following discharge shall be monitored and limited at all times as follows:						
	Outfall: 017 (Stormwater Discharge)					
Settleable Solids			0.5	m/l	1/Year	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0				1/Year	Grab

Storm water 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 storm water 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. IL0061247
 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 No. 9 and approval from the Agency, the effluent of the following discharges shall be monitored and limited at all times as follows:						
	Outfalls:		002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 018, 019 020, 021, 024, 026, 027, 029, 030, 031, 032, 033, 035 (Stormwater Discharge)			
Settleable Solids			0.5	m/l	1/Year	Grab
pH	The pH shall not be less than 6.0 nor greater than 9.0				1/Year	Grab

Storm water 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 storm water 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. IL0061247

Construction Authorization No.: 0368-98

C.A. Date: January 13, 1999

Engineer: Craig Schoonover, P.E.

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

A surface coal mining operation consisting of 4548.0 acres located in Sections 23, 24, 25, 26, 27, 28, 33, 34, 35 and 36, T4N, R3W, and Sections 19 and 30 in T4N, R2W of McDonough County; and 474.5 acres in Section 2 and 3 in T3N, R3W, Schuyler County.

The operations consist of strip mining, coal processing, support facilities, refuse disposal areas, and surface drainage control facilities. Sediment pond and Outfall classifications are as follows:

<u>Discharge No.</u>	<u>Classification</u>	<u>Receiving Waters</u>
002	Acid Mine Drainage from Coal Refuse Piles	Grindstone Creek
003, 018, 019, 020, 021	Non-Controlled Acid Mine Drainage	Grindstone Creek
022	Non-Controlled Acid Mine Drainage	Camp Creek
009, 024W, 025, 026	Non-Controlled Acid Mine Drainage	Willow Creek
004, 005, 006, 007, 008, 010, 011	Reclamation Area Drainage	Grindstone Creek
017	Stormwater Discharge	Grindstone Creek

Grindstone Creek is tributary to Camp Creek, tributary to LaMoine River. Willow Creek is tributary to LaMoine River.

Pond 017 may be converted to a dry dam as proposed in Log No. 4061-94. The discharge will be classified as a stormwater discharge.

The preparation plant facilities are revised to include a blending conveyor and a 25-ton capacity truck hopper as described in Log No. 4286-94.

Outfall 019 is reclassified as acid mine drainage as proposed in Log No. 3259-95

An additional surface mining area, identified as IDNR/OMM Permit Area No. 305, is incorporated as proposed in Log No. 1099-97, 1099-97-A and 1099-97-B. This IDNR/OMM permit area contains 255.0 acres in Section 2, T3N, R3W, Schuyler County; however, due to overlapping OMM permit areas, only 104.5 acres is added to this NPDES permit and is included in the above totals.

Drainage from disturbed areas in OMM Permit Area No. 305 will report to Ponds 009 and 024W, which are classified acid mine drainage and report to Willow Creek.

Three groundwater monitoring wells shall be installed around a coal combustion by-product beneficial use area as proposed in Log No. 1062-97 (OMM Permit No. 261, Insignificant Permit Revision (IPR) No. 10). These monitoring wells are for the Permittee's use and data collection only. Monitoring data from these wells is not required to be submitted to the Agency. Haul roads to the beneficial use area will be modified as proposed in Log No. 2300-96 (OMM Permit No. 261, IPR No. 7 and OMM Permit No. 16, IPR No. 36).

Two areas of 22 acres and 7 acres, previously designated as support areas, are incorporated into the mining area as proposed in Log Nos. 1230-97 (OMM Permit No. 261, IPR No. 13) and 1252-97 (OMM Permit 261, IPR No. 14), respectively.

Soda ash briquets may be used to neutralize acidic water in Pond 019 as proposed in Log No. 1394-97.

The operations plan is modified as proposed in Log No. 0006-98, identified as Revision No. 4 to OMM Permit No. 16, Revision No. 1 to OMM Permit No. 180 and Revision No. 1 to OMM Permit No. 261. No additional area or Outfalls are added with these modifications.

NPDES Permit No. IL0061247

Construction Authorization No.: 0368-98

C.A. Date: January 13, 1999

Reclamation plans for the final cut lake in OMM Permit No. 16 area as proposed in Log No. 1354-97 for down drain structures and Log No. 0005-98 for the discharge structure are approved. Discharges from this final cut will report to Pond 009.

The embankment of impoundment No. 12 will be raised approximately 6 feet to an elevation of 643 M.S.L. as described in IEPA Log No. 0380-98. The impoundment water surface elevation will also be raised by installing a 6-foot extension onto the existing 24-inch drop inlet decant. The final impoundment water surface elevation will be 637 feet M.S.L.

This Construction Authorization replaces C.A. No. 4158-94; S.C.A. Nos. 4158-94-1, 4158-94-2, 4158-94-3, 4158-94-4, 4158-94-5 and 4158-94-6; and State Permit No. 1998-MD-0380.

The abandonment plan 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 406.202. For constituents not covered by Parts 302 and 303, all water remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.106.

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 Logs. 9159-79, 6038-82, 6113-82, 2020-86, 1076-87, 0511-88, 0709-88, 6008-92, 6182-92, 5184-93, 5185-93, 4061-94, 1099-97, 1099-97-A, 1230-97, 1252-97, 1354-97, 0005-98, 0006-98 and 0380-98 in the records of the Illinois Environmental Protection Agency.
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 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. 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 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.

NPDES Permit No. IL0061247

Construction Authorization No.: 0358-98

C.A. Date: January 13, 1999

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 subsection 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 35 Ill. Adm. Code 302.210 or of the appropriate effluent and water quality standards of 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 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.
11. Any of the following shall be a violation of the provisions required under 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 as defined in 35 Ill. Adm. Code 406.204 which are applicable in order to minimize the discharge of total dissolved solids, chloride, sulfate, iron and manganese.

NPDES Permit No. IL0061247

Supplemental Construction Authorization No. 0368-98-1

S.C.A. Date: October 18, 1999

Supplemental Authorization is hereby granted to the above designee to construct the mine and mine refuse area, which were previously approved under Authorization No. 0368-98 dated January 13, 1999. These facilities have been revised as follows:

The addition of 20.0 acres identified as OMM Permit No. 180, IPR No. 1, located in Section 3, Township 3 North, Range 3 West, Schuyler County, to be used for the construction of a borrow area as proposed in IEPA Log No. 9471-99. The inclusion of this additional area brings the total area under OMM Permit No. 180 to 178.8 acres; and the total area covered under this NPDES permit to 4568.0 acres of which 494.5 acres is located in Schuyler County.

Pond and Outfall 026 will be constructed as requested in IEPA Log No. 9472-99 (OMM Permit No. 180, IPR No. 3). It is noted for reference purposes only at this time that the designs for Pond 026 are contained in IEPA Log No. 9162-99 (OMM Permit No. 334 Application). This reference is not to imply that IEPA Log No. 9162-99 (OMM Permit No. 334) is being approved at this time. As-built plans shall be submitted to the Agency upon completion of construction of Basin 026. Discharge from Outfall 026 is subject to Condition No. 1.

Drainage from the borrow area will report to Basin 026. In the event that pit pumpage is directed to the basin, any material removed during pond clean-out shall be disposed in the active pit.

The abandonment plan shall be executed and completed in accordance with 35 Ill. Adm. Code 405.109 as detailed in Log Nos. 9471-99 and 9472-99.

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. At such time as runoff is collected in Pond 026, a sample shall be collected and analyzed for the parameters designated as 1M-15M under Part 5-C of Form 2C, with the results sent to this Agency. 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. IL0061247

Supplemental Construction Authorization No. 0368-98-2

S.C.A. Date: December 1, 1999

Supplemental Authorization is hereby granted to the above designee to construct the mine and mine refuse area, which were previously approved under Authorization No. 0368-98 dated January 13, 1999 and Supplemental Construction Authorization No. 0368-98-1 dated October 18, 1999. These facilities have been revised as follows:

The addition of 131.0 acres, identified as OMM Permit No. 334 area, located in Sections 3 and 10, Township 3 North, Range 3 West, Schuyler County, for surface mining activities as proposed in IEPA Log Nos. 9162-99, 9162-99-A and 9162-99-B. This additional area includes 20.0 acres (OMM Permit No. 180, IPR No. 1) previously incorporated into this Permit under IEPA Log No. 9471-99 in Supplemental Construction Authorization No. 0368-98-1. Therefore, the total area permitted herein is increased by only 111.0 acres to 4,679.0 acres, of which 605.5 acres is located in Schuyler County.

Coal will be processed at the existing preparation facility. Fine refuse is disposed in slurry ponds with coarse refuse being returned to the active pit.

Drainage control is provided by temporary diversions and two (2) permanent impoundments (sedimentation ponds) with discharges designated as Outfalls 026 and 027. The discharge designated as Outfall 027 is located at Latitude 40°15'54" North, Longitude 90°43'19" West, classified as alkaline mine drainage and reports to an unnamed tributary to Willow Creek, tributary to LaMoine River. Pond and Outfall 026 were previously approved.

A currently permitted area of 2.7 acres, previously designated as not to be disturbed, is hereby incorporated into the mining area as proposed in IEPA Log No. 9582-99 (OMM Permit No. 180, IPR No. 4). This area is included in the total permit area noted above.

The abandonment plan shall be executed and completed in accordance with 35 Ill. Adm. Code 405.109 as detailed in IEPA Log Nos. 9162-99, 9162-99-A and 9162-99-B.

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

NPDES Permit No. IL0061247

Supplemental Construction Authorization No. 0368-98-3

S.C.A. Date: July 25, 2000

Michael W. Rapps, P.E., Rapps Engineering and Applied Science

Supplemental Authorization is hereby granted to the above designee to construct the mine and mine refuse area, which were previously approved under Authorization No. 0368-98 dated January 13, 1999 and Supplemental Construction Authorization Nos. 0368-98-1 and 0368-98-2 dated October 18, 1999, and December 1, 1999, respectively. These facilities have been revised as follows:

An additional 459.2 acres located in Sections 3 and 4, Township 3 North, Range 3 West, Schuyler county, 4th P.M. to be surface mined as proposed in Log Nos. 8119-00 and 8119-00-B. Total area covered by this permit is increased to 5138.2 acres of which 1064.7 acres is located in Schuyler County.

Surface drainage will be controlled by diversions and two sediment ponds. Outfalls 029 and 030 from these ponds will be classified as alkaline mine drainage and report to an unnamed tributary to Willow Creek, tributary to LaMoine River. If either pond requires sediment to be removed to maintain performance, and pit pumpage has been directed to or chemical treatment has been conducted in the pond, sediment must be buried with the refuse, unless testing shows that the material is suitable for use as root medium.

The abandonment plan shall be executed and completed in accordance with 35 Ill. Adm. Code 405.109 as detailed in the log numbers referenced in Condition as detailed in Log Nos. 8119-00 and 8119-00-B.

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

NPDES Permit No. IL0061247

Supplemental Construction Authorization No. 0368-98-4

S.C.A. Date: March 27, 2003

Steven M. Bishoff, P.E., Rapps Engineering and Applied Science

Supplemental Authorization is hereby granted to the above designee to construct the mine and mine refuse area, which were previously approved under Authorization No. 0368-98 dated January 13, 1999 and Supplemental Authorization Nos. 0368-99-1, 0368-99-2 and 0368-99-3 dated October 18, 1999, December 1, 1999 and July 25, 2000 respectively. These facilities have been revised as follows:

Total area covered by this permit is increased to 5651.3 acres of which 1064.7 acres are located in Schuyler County and 4886.6 acres are in McDonough County.

An area of 493.1 acres located in Sections 22, 23, 26 and 27, Township 4 North, Range 3 West, 4th P.m. McDonough County will be surface mined as proposed in Log Nos. 6244-02, 6244-02-A, 6244-02-B and 6244-02-D.

Surface drainage will be controlled by diversions and four sediment ponds designated as Pond Nos. 031, 032, 033 and 035 with respectively numbered Outfalls. Outfall Nos. 031, 032, 033 and 035 all report to Grindstone Creek and are classified as alkaline mine drainage.

An area of 20 acres located in Section 27, Township 4 North, Range 3 West, 4th P.M., McDonough County will be added to the permit for construction of a haul road as proposed in Log No. 5132-03. This area is also identified as Incidental Boundary Revision (IBR) No. 6 to IDNR/OMM Permit No. 16.

Active surface mining will not be conducted in this area. Since this is a narrow strip of land for construction of a road, a sedimentation pond will be not required, however standard erosion controls will be. Construction will be completed in dry weather conditions and at a time when seeding will likely be most successful. This road will cross Grindstone Creek, where four (4) nine foot diameter culverts will be used to pass water under the road. The crossing will be constructed so that flow over the road from significant precipitation events will not endanger the crossing.

The abandonment plan for this area in accordance with Log No. 5132-03 consists of removing the road and crossing and returning the area to its current use, with minimal disturbance.

Outfall No. 027 is re-classified as reclamation area drainage as proposed in Log No. 5071-03.

The abandonment plan shall be executed and completed in accordance with 35 Ill. Adm. Code 405.109 as detailed in Log Nos. 6244-02, 6244-02-A and 6244-02-B.

All water remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.202. For the constituents not covered by Parts 302 or 303, all water remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.106.

Longitude and latitude co-ordinates for all Outfalls covered by this Permit are as follows:

<u>Outfall</u>	<u>Latitude (North)</u>	<u>Longitude (West)</u>
002	40°17'45.0"	90°43'07.0"
003	40°18'00.0"	90°43'15.0"
004	40°18'24.0"	90°42'43.0"
005	40°18'40.0"	90°42'03.0"
006	40°18'30.0"	90°41'45.0"
007	40°18'39.0"	90°41'13.0"
008	40°18'30.0"	90°40'33.0"
009	40°16'22.0"	90°42'53.0"
010	40°18'16.0"	90°42'50.0"
011	40°18'19.0"	90°42'48.0"
017	40°18'41.0"	90°42'18.0"
018	40°17'40.0"	90°43'49.0"
019	40°17'55.0"	90°44'06.0"
020	40°17'45.0"	90°44'47.0"
021	40°17'43.0"	90°45'06.0"
022	40°17'17.0"	90°45'13.0"
024W	40°16'14.0"	90°42'55.0"
026	40°16'20.0"	90°43'03.0"
027	40°15'54.0"	90°43'19.0"

NPDES Permit No. IL0061247

Supplemental Construction Authorization No. 0368-98-4

S.C.A. Date: March 27, 2003

Steven M. Bishoff, P.E., Rapps Engineering and Applied Science

<u>Outfall</u>	<u>Latitude (North)</u>	<u>Longitude (West)</u>
029	40°16'22.0"	90°45'08.0"
030	40°16'16.0"	90°44'51.0"
031	40°18'11.5"	90°43'33.6"
032	40°10'11.5"	90°43'10.6"
033	40°18'24.5"	90°43'01.9"
035	40°18'46.8"	90°42'55.9"

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 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. No discharge is allowed from any herein permitted Outfall during "low flow" or "no flow" conditions in the receiving stream, unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302. Discharges not meeting the water quality standards of 35 Ill. Adm. Code 302 may only be discharged in combination with storm water discharges from the basin, and only at such times that sufficient flow exists in the receiving stream to ensure that water quality standards in the receiving stream beyond the mixing zone will not be exceeded. Following any such stormwater discharge during which water quality standards are not being met, but prior to the flow in the receiving stream subsiding, the impounded water in the basin(s) may be pumped or otherwise evacuated sufficiently below the discharge elevation to provide capacity for holding a sufficient volume of mine pumpage and/or surface runoff to preclude the possibility of discharge until such time that subsequent precipitation event results in discharge from the basin. At times of stormwater discharges, in addition to the alternate effluent monitoring requirements, the basin discharges shall be analyzed for sulfate and chloride concentrations. Also, basin discharge, and stream flow upstream and downstream of the basin discharge confluence shall be determined, recorded, and submitted with basin Discharge Monitoring Reports (DMR's) to demonstrate that adequate mixing is provided to ensure water quality standards in the receiving stream are not exceeded.

NPDES Permit No. IL0061247

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, Subtitle C: 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. The Discharge Monitoring Report forms shall be submitted to the Agency in accordance with the schedule outlined in Special Condition No. 4 below.

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, Illinois 62794-9276

Attn: Compliance Assurance Section

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
January, February, March	April 28
April, May, June	July 28
July, August, September	October 28
October, November, December	January 28

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.

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. 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. IL0061247

Special Conditions

Special Condition No. 10: Annual stormwater 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.

Special Condition No. 11: No discharge is allowed from any herein permitted Outfall during "low flow" or "no flow" conditions in the receiving stream, unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302. Discharges not meeting the water quality standards of 35 Ill. Adm. Code 302 may only be discharged in combination with storm water discharges from the basin, and only at such times that sufficient flow exists in the receiving stream to ensure that water quality standards in the receiving stream beyond the area of allowed mixing will not be exceeded. Following any such stormwater discharge during which water quality standards are not being met, but prior to the flow in the receiving stream subsiding, the impounded water in the basin(s) may be pumped or otherwise evacuated sufficiently below the discharge elevation to provide capacity for holding a sufficient volume of mine pumpage and/or surface runoff to preclude the possibility of discharge until such time that subsequent precipitation event results in discharge from the basin. At times of stormwater discharges, in addition to the alternate effluent monitoring requirements, the basin discharges shall be analyzed for sulfate and chloride concentrations to demonstrate compliance with the permit limitations. Also, basin discharge, and stream flow upstream of the basin discharge confluence shall be determined, recorded, and submitted with basin Discharge Monitoring Reports (DMR's) to demonstrate that adequate dilution is provided to ensure water quality standards in the receiving stream are not exceeded.

Standard Conditions

Definitions

Act means the Illinois Environmental Protection Act, 415 ILCS 5 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.

EPA 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.

Alliquot 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 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 46 CFR 122.82. 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 or 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.

Exhibit 2

Log of Available Industry Mine DMRs

This document is provided as a general overview of the data supporting this summary judgment motion. The document shows which DMRs Petitioners were able to obtain and review for the Industry Mine since 2001. Each outfall permitted at the Industry Mine is listed across the top. Each month from January 2004-December 2011 is listed at the left side.

- Each cell marked “V” (yellow fill) shows a month where a DMR was reviewed for that outfall and a violation was discovered;
- Each cell marked “x” (white fill) shows a month where a DMR was reviewed for that outfall and no violation was discovered; and
- Each cell with blue fill shows a month where no DMR was obtained for that outfall, so the violation status is unknown.

Electronic Filing - Received, Clerk's Office, 04/27/2012

MONTH	YEAR	002	003	009	018	019/0191	020	021	022	024W/024	026	027	029	030	031	032	033	035
Jan	2004	x	V	x	x	V				x	x	x						
Feb	2004	x	V	x	V	V	x	V	x	x	x	x	V	x				
Mar	2004	x	V	x	V	V	x	x	x	x	x	x	V	x				
Apr	2004	x	x	x	x	x				x	x	x						
May	2004	x	V	x	x	x	x	x	x	x	x	x	V	x				
June	2004	x		x	x	V	x	x	x	x	V	x	V	x				
July	2004	V		x	x	V	x	x	x	x	V	x	V	x				
Aug	2004	x	V	x	V	V	x	x	x	x		x	V	\				
Sept	2004	x	V	x	V	V	x	V	x	x		x	\	\				
Oct	2004	x	V	x		V	x	x	x			x	V	x				
Nov	2004	x	x	x	V	V	x	x	x	x	x	x	V	x				
Dec	2004	x		x	V	V	x	x	x	x	V	x		x				
Jan	2005	x	V	x	V	V	x	x	x	V	V	x	V	x				
Feb	2005	x	x	x	V	V	x	x	x	x	x	x	V	x				
Mar	2005	x	x	V	V	V	x	x		V	x	x	x	x				
Apr	2005	x	x	V	V	V	x	x	x	x	x	x	x	x				
May	2005	x		x	V	x				V	x	x						
June	2005			V	V	V				x		x						
July	2005			V	V	V												
Aug	2005			V	V	V												
Sept	2005			V	x	x												
Oct	2005			V	x	x												
Nov	2005			V	x	x												
Dec	2005			V	V	x						x						
Jan	2006			V	V	V				V		x						
Feb	2006			V	x	x				V		V						
Mar	2006	x	x	x	x	x				V	V		x					
Apr	2006	x	x	V	V	V	x	x	x	V	V	x	x	x				
May	2006	x	x	V	x	V	x	x	x	V	x	x	x	x				
June	2006	x	x	V	x	V	x	x	x	V	x	x	x	x				
July	2006	x	x	V	V	V	x	x	x	V	V	x	x	x				
Aug	2006	x	x	V	V	V	x	x	x	x	x	x	x	x				
Sept	2006	x	x	V	x	V	x	x	x	x	x	x	x	x				
Oct	2006	x	x	V	V	V	x	x	x	x	x	x	x	x				
Nov	2006	x	x	V	V	V	x	x	x	x	x	x	x	x				
Dec	2006	x	x	V	x	V	x	x	x	V	x	x	x	x				
Jan	2007	x	V	x	x	V	x	x	x	V	V	V	x	x				
Feb	2007	x	V	V	x	V	x	x	x	x	x	x	x	x				
Mar	2007	x	x	x	V	V	x	x	x	x	V	x	x	x				
Apr	2007	x	x	x	x	V	x	x	x	x	V	x	x	x				
May	2007	V	x	x	V	V	x	x	x	V	V	x	x	x				
June	2007	x	V	x	x	x	x	x	x	V	V	x	x	x				
July	2007	x	x	V	x	x	x	x	x	x	V	x	x	x				
Aug	2007																	
Sept	2007																	
Oct	2007								x	x	x	x	x	x				

Exhibit 3

Tables of Industry Mine NPDES Violations

This document indicates each violation of the NPDES permit for the Industry Mine and cites to the DMR source that provides the sampling information.

A page is included for each applicable effluent limit (e.g. iron monthly average 3.0, iron monthly average 3.5, etc.). Each page includes across the top each of the outfalls that have violated that effluent limit, and each month for which there was a violation along the left side. A bold line separates the Freeman violations from the Springfield Coal violations (i.e. before and after August 31, 2007).

Under each Outfall heading there are three columns. In a month in which a violation took place, the cell in the "sample" column shows the sample that was reported on the Discharge Monitoring Report (DMR) for that month. In other words, this is the sample value that proves the violation of the NPDES permit effluent limits.

The second column under each outfall (marked "citation") indicates the reference to the DMR where the sample was reported. Copies of all DMRs supporting the violations have been provided to the IPCB. These DMRs are provided in three different sets of documents:

- A number alone (e.g. "43") refers to a page in Attachment 2 of Petitioner Prairie Rivers Network's First Requests to Admit, Interrogatories and Requests for Production of Documents from Springfield Coal. In its response to the discovery request, Springfield Coal admitted that the DMRs for 2009 and 2010 included in Attachment 2 represent results of Springfield Coal's monitoring of effluent discharges from the Industry Mine. (Resp. to Pet'r Discovery Request, Request to Admit #19.)
- A number preceded by "SC" (e.g. SC01572) refers to a page in Springfield Coal's response to Petitioner's discovery request, Document Request #1.
- A number preceded by "B" (e.g. B1) refers to a page in Exhibit 5 to this motion for summary judgment.

The third column under each outfall (marked "code") indicates that further explanation of the violation may help to clarify the violation. The codes are as follows:

- Code 1: The monthly average was not provided on DMRs. Here the average was calculated by adding together maximum and minimum sample values provided and dividing by two: $(\text{max}+\text{min})/2$.
- Code 2: Not all samples in violation of the daily maximum were provided, so sample value was calculated based on the average of 3 samples were taken. (If the number of samples is not indicated and the indicated average does not equal $(\text{max}+\text{min})/2$, then it is assumed that three

samples were taken). Calculation used to provide this missing value is as follows: (average*3) - maximum – minimum = third sample value.

- Code 3: Only one sample taken, which serves as both maximum and average value. *See, Natural Res. Def. Council, Inc. v. Outboard Marine Corp.*, 692 F. Supp. 801, 821 (N.D. Ill. 1988).

Finally, this exhibit also shows the civil penalty calculations for each effluent limit by outfall, showing the total number of violations and the violations apportioned to Freeman and Springfield Coal. As discussed in the motion for summary judgment, each violation of the daily maximum was multiplied by \$10,000 and each violation of the monthly average was multiplied by \$30,000.

Violations of 3.5 mg/L Monthly Avg Effluent Limit for Iron

Electronic Filing Received, Clerk's Office, 04/27/2012

	Outfall 003			Outfall 018		
	sample	citation	code	sample	citation	code
Feb-04	5.04	6	3			
Jan-05				4.425	40	1
Jun-07	11.8	SC0513	3			
Apr-08				12.41	SC0922	
Jun-08				3.58	SC0970	

# VIOLATIONS	2	3	
MAX PENALTY	\$600,000	\$900,000	VIOLATION TOTAL: 5

TOTAL MAXIMUM PENALTY: \$1,500,000

FREEMAN			
# VIOLATIONS	2	1	
MAX PENALTY	\$600,000	\$300,000	FREEMAN VIOLATION TOTAL: 3

TOTAL MAXIMUM PENALTY: \$900,000

SPRINGFIELD			
# VIOLATIONS	0	2	
MAX PENALTY	\$0	\$600,000	SPRINGFIELD VIOLATION TOTAL: 2

TOTAL MAXIMUM PENALTY: \$600,000

Violations of 7.0 mg/L Maximum Effluent for Iron

Electronic Filing - Received, Clerk's Office, 04/27/2012

	Outfall 003		Outfall 017		Outfall 018	
	sample	citation	sample	citation	sample	citation
Nov-04			46.4	SC013		
Dec-04			25.4	SC013		
Feb-05					13.0	51
Nov-06					9.04	SC0214
Feb-07			47.9	SC0391		
Mar-07	15.4	SC0381				
Jun-07	11.8	SC0513				
Apr-08			36.2	SC0922		
Jun-08			10.4	SC0970		
Feb-11			7.88	SC01744		

# VIOLATIONS	2	6	2	TOTAL VIOLATIONS	10
MAX PENALTY	\$20,000	\$60,000	\$20,000		

TOTAL MAXIMUM PENALTY: \$100,000

FREEMAN

# VIOLATIONS	2	3	2	FREEMAN VIOLATIONS	7
MAX PENALTY	\$20,000	\$30,000	\$20,000		

TOTAL MAXIMUM PENALTY: \$70,000

SPRINGFIELD

# VIOLATIONS	0	3	0	SPRINGFIELD VIOLATIONS	3
MAX PENALTY	\$0	\$30,000	\$0		

TOTAL MAXIMUM PENALTY: \$30,000

Violations of 6.0 mg/L Maximum Effluent Limit for Iron

Electronic Filing Received, Clerk's Office, 04/27/2012

	Outfall 024W			Outfall 026			Outfall 029			Outfall 031			Outfall 032			Outfall 033		
	sample	citation	code	sample	citation	code	sample	citation	code	sample	citation	code	sample	citation	code	sample	citation	code
Feb-04							7.05	10										
							6.75	10										
Mar-04				22.9	15		8.65	16										
May-04							24.1	18										
Jun-04				6.91	20		29.6	21										
							27.3	21	2									
							21.1	21										
Jul-04				6.47	24		13.9	B1										
Aug-04				11.9	SC08		7.23	29										
Sep-04				13.9	SC08													
Oct-04							8.00	36										
Dec-04	10.6	SC038																
Jan-05	6.37	43					6.20	45										
Mar-07				21.10	SC0416													
Nov-09										15.4	107							
										6.76	107							
										13.39	107	2						
Dec-09															12.8	109		
															8.55	109	2	
Jan-10										15.9	117							
Apr-10													11	124				
Jun-10										6.22	131				7.53	135		
Jul-10													8.66	138				
Mar-11													8.89	SC01765				
Apr-11										8.02	SC01793							
May-11										24.1	SC01823							
Jun-11				8.46	SC01857					9.69	SC01866							
										7.46	SC01866							

# VIOLATIONS	2	7	11	9	3	3	TOTAL VIOLATIONS	35
MAX PENALTY	\$20,000	\$70,000	\$110,000	\$90,000	\$30,000	\$30,000		
TOTAL MAXIMUM PENALTY:	\$350,000							
FREEMAN								
# VIOLATIONS	2	6	11	0	0	0	FREEMAN VIOLATIONS	19
MAX PENALTY	\$20,000	\$60,000	\$110,000	\$0	\$0	\$0		
TOTAL MAXIMUM PENALTY:	\$190,000							
SPRINGFIELD								
# VIOLATIONS	0	1	0	9	3	3	SPRINGFIELD VIOLATIONS	16
MAX PENALTY	\$0	\$10,000	\$0	\$90,000	\$30,000	\$30,000		
TOTAL MAXIMUM PENALTY:	\$160,000							

Violations of Monthly Avg Effluent Limit for Manganese (CONTINUED)

Electronic Filing Received, DEK's Office, 04/27/2011

Outfall 019			Outfall 024W			Outfall 026		
sample	citation	code	sample	citation	code	sample	citation	code
13.85	8	1						
7.02	14	1						
4.73	19	1						
3.55	23	1						
3.16	28	3						
8.22	32	3						
9.15	35	3						
7.49	38	1						
18.45	SC034	1						
7.95	42							
11.3	48	3						
6.76	53	1	2.18	54	1			
			2.16	59	3			
5.78	61	1						
3.78	82	3	2.02	83	3			
						5.105	87	1
3.07	91					7.01	92	
4.93	97							
3.38	101	1						
2.46	SC0258	1						
7.95	SC0306							
15.2	SC0343							
3.02	SC0446	1				2.39	SC0459	1
5.66	SC0486	1						
12.9	SC0811	3						
7.617	SC0844							
6.95	SC0948	1						
3.79	SC01008	3						
3.43	SC01044	3						
3.47	SC01078	1						
18.633	SC01119							
34.2	SC01141							
10.7	SC01169							
18.5	SC01211							
18.5	SC01244							
			2.213	SC01294		2.725	SC01298	
						2.306	SC01335	
15.48	SC01356					3.04	SC01368	
39.27	SC01397							
59	SC01442					4.71	SC01454	
25.8	SC01475		2.22	SC01484				
23.27	SC01515		3.18	SC01529				

Violations of Monthly Avg Effluent Limit for Manganese (CONTINUED)

Electronic Filing Received, Clerk's Office, 04/27/2011

Oct-09							3.817	SC01557	
Nov-09							10.0	SC01591	
Dec-09				2.437	SC01626		13.63	108	
Jan-10				2.76	111	1			
Mar-10							2.39	120	1
May-10							2.13	126	1
Jun-10							2.32	130	1
Oct-10							2.23	144	
Dec-10							2.55	152	1
Jan-11	2.13	SC01700	1	2.91	SC01701	1	4.97	SC01702	1
Feb-11							2.78	SC01721	3
Mar-11				3.06	SC01741		2.92	SC01743	
Apr-11									
May-11							3.99	SC01808	1
Jun-11							3.18	SC01841	1
Jul-11							2.73	SC01885	1
Sep-11							2.13	SC01949	1

VIOLATIONS **7** **9** **41**

MAX PENALTY **\$2,100,000** **\$2,700,000** **\$12,300,000**

TOTAL MAXIMUM PENALTY:
\$38,400,000

FREEMAN
VIOLATIONS **6** **2** **16**

MAX PENALTY **\$1,800,000** **\$600,000** **\$4,800,000**

TOTAL MAXIMUM PENALTY:
\$15,600,000

SPRINGFIELD
VIOLATIONS **1** **7** **25**

MAX PENALTY **\$300,000** **\$2,100,000** **\$7,500,000**

TOTAL MAXIMUM PENALTY:
\$22,800,000

Violations of Monthly Avg Effluent Limit for Manganese (CONTINUED)

Electronic Filing Received, Clerk's Office, 04/27/2011

20.87	SC01560		2.41	SC01569		2.41	SC01572	
29	SC01594							
						5.12	113	1
						2.695	127	1
						2.75	155	1
			2.47	SC01707	1	2.61	SC01708	1
2.75	SC01722	3	2.36	SC01726	3	2.73	SC01727	3
2.89	SC01745	1	2.38	SC01753		2.23	SC01755	
2.25	SC01780	3						
2.88	SC01810	3						
						2.09	SC01856	1
2.19	SC01887	3						
3.07	SC01951	1						

46	10	15	TOTAL VIOLATIONS	128
\$13,800,000	\$3,000,000	\$4,500,000		

22	3	3	FREEMAN VIOLATIONS	52
\$6,600,000	\$900,000	\$900,000		

24	7	12	SPRINGFIELD VIOLATIONS	76
\$7,200,000	\$2,100,000	\$3,600,000		

Violations of Daily Maximum Effluent Limit for Manganese

Electronically Filed & Received, Clerk's Office, 04/27/2012

	Outfall 003			Outfall 018			Outfall 019			Outfall 026		
	sample	citation	code	sample	citation	code	sample	citation	code	sample	citation	code
Jan-04	5.32	3					7.38	4				
Feb-04	9.39	5		4.37	7		13.4	8				
							14.3	8				
Mar-04							4.86	14				
							9.18	14				
Jun-04							6.15	19				
Jul-04							4.79	23				
Sep-04							8.22	32				
Oct-04							9.15	35				
Nov-04				5.51	37		5.73	38				
							9.25	38				
Dec-04				8.88	SC032		20.6	SC034				
				4.32	SC032		16.3	SC034				
Jan-05							4.69	42				
							11.2	42	2			
							11.9	42				
Feb-05				10.3	47		11.3	48				
Mar-05				11.8	52		7.83	53				
				11.6	52		5.70	53				
Apr-05				6.08	56							
May-05				7.60	58							
Jun-05				7.14	63		9.26	61				
				6.18	63							
Mar-06										6.68	87	
Apr-06							4.64	91		4.63	92	
										7.99	92	2
										8.42	92	
May-06							5.88	97				
							5.70	97	2			
Jul-06				5.65	SC062							
Jan-07							7.00	SC0306				
							8.89	SC0306				
Feb-07							16.9	SC0343				
							13.5	SC0343				
Mar-07							4.35	SC0394		5.80	SC0414	
Apr-07							4.26	SC0445				
May-07							6.94	SC0486				
							4.37	SC0486				
Jan-08							12.9	SC0811				
Feb-08							14	SC0844				
Apr-08										4.71	SC0933	
May-08							13.6	SC0948				
Oct-08				9.45	SC01117		26.2	SC01119				
							16.4	SC01119				
							13.3	SC01119				

Violations of Daily Maximum Effluent Limit for Manganese (CONTINUED)

Electronic Filing Received, Clerk's Office, 04/27/2012

Nov-08							30.6	SC01141				
							31.6	SC01141	2			
							40.4	SC01141				
Dec-08							18.8	SC01169				
							12.8	SC01169	2			
Jan-09							13.5	SC01211				
							18.2	SC01211	2			
							23.8	SC01211				
Feb-09				5.68	SC01241		13.5	SC01244				
							18.2	SC01244	2			
							23.8	SC01244				
Mar-09				8.05	SC01277							
				5.61	SC01277	2						
May-09				9.5	SC01353		8.04	SC01356				
							8.6	SC01356	2			
							29.8	SC01356				
Jun-09				6.89	SC01392		14.4	SC01397				
				6.91	SC01392		49.61	SC01397	2			
				8.07	SC01392		53.80	SC01397				
Jul-09							57	SC01442		8.6	SC01454	
							61	SC01442				
Aug-09				4.8	SC01472		18	SC01475				
							19.2	SC01475	2			
							40.2	SC01475				
Sep-09							29.8	SC01515				
							24.81	SC01515	2			
							15.2	SC01515				
Oct-09				5.19	SC01557		35.4	SC01560				
				4.07	SC01557	2	16.91	SC01560	2			
							10.3	SC01560				
Nov-09				12.3	SC01591		32.7	SC01594				
				11.38	SC01591	2	28.7	SC01594	2			
				6.32	SC01591		25.6	SC01594				
Dec-09				14.1	SC02016							
				13.5	SC02016							
				13.3	SC02016							
Jan-10										6.84	133	
Jan-11				6.73	SC01702							
May-11				4.37	SC01808							

# VIOLATIONS	2	31	68	8	TOTAL VIOLATIONS	109
MAX PENALTY	\$20,000	\$310,000	\$680,000	\$80,000		
TOTAL MAX PENALTY:	\$1,090,000					
FREEMAN						
# VIOLATIONS	2	12	31	5	FREEMAN VIOLATIONS	50
MAX PENALTY	\$20,000	\$120,000	\$310,000	\$50,000		

Violations of Daily Maximum Effluent Limit for Manganese (CONTINUED)
Electronic Filing Received, Clerk's Office, 04/27/2012

TOTAL MAX PENALTY: \$500,000

SPRINGFIELD						
# VIOLATIONS	0	19	37	3	SPRINGFIELD VIOLATIONS	59
MAX PENALTY	\$0	\$190,000	\$370,000	\$30,000		

TOTAL MAX PENALTY: \$590,000

Violations of 1800 mg/L Daily Maximum Effluent Limit for Sulfate

Electronic Filing Received, Clerk's Office, 04/12/2012

	Outfall 018			Outfall 019		
	sample	citation	code	sample	citation	code
Feb-04	2000	7				
	1880	7				
Mar-04	1820	13				
Jun-05	2020	63				
	1900	63				
Jul-05	2020	67		1840	68	
	2050	67		1810	68	
Aug-05	2030	70		1910	71	
Dec-05	1920	76				
	1930	76				
Jun-06				1890	101	
Jul-06				1830	SC065	
Aug-06	1840	SC0100		1840	SC0103	
Oct-06	1850	SC0181		1810	SC0184	
Nov-06	1890	SC0214		1830	SC0217	
	1801	SC0214	2			
May-07	1870	SC0483		1830	SC0486	
Aug-07				2160	SC0617	
Sep-07	2100	SC0647		2180	SC0655	
	1980	SC0647	2			
Oct-07	2710	SC0695				
	2370	SC0695				
	2470	SC0695	2			
Nov-07	3080	SC0728		2940	SC0731	
	2720	SC0728	2			
	2420	SC0728				
Dec-07	2970	SC0765				
	2120	SC0765	2			
	2080	SC0765				
Nov-08				2190	SC01141	
Dec-08	2380	SC01165		2920	SC01169	
	2130	SC01165				
Feb-09	2570	SC01241				
Jun-09				2690	SC01397	
Jul-09	1940	SC01439		3290	SC01442	
	2091	SC01439	2			
	2200	SC01439				
Aug-09	1820	SC01472		2490	SC1475	
Sep-09	1920	SC01510		2020	SC01515	
Oct-09				1900	SC01560	
Dec-10				1810	153	
Apr-11				2460	SC01779	
Sep-11	2410	SC01947		2790	SC01950	
	2340	SC01947				
	2060	SC01947				

Violations of 1800 mg/L Daily Maximum Effluent Limit for Sulfate (CONTINUED)
Electronic Filing Received, Clerk's Office, 04/27/2012

# VIOLATIONS	37	22	TOTAL VIOLATIONS	59
MAX PENALTY	\$370,000	\$220,000		
TOTAL MAXIMUM PENALTY:	\$590,000			
FREEMAN				
# VIOLATIONS	15	10	FREEMAN VIOLATIONS	25
MAX PENALTY	\$150,000	\$100,000		
TOTAL MAXIMUM PENALTY:	\$250,000			
SPRINGFIELD				
# VIOLATIONS	22	12	SPRINGFIELD VIOLATIONS	34
MAX PENALTY	\$220,000	\$120,000		
TOTAL MAXIMUM PENALTY:	\$340,000			

Violations of 1100 mg/L Daily Maximum Effluent Limit for Sulfate

Electronic Filing Received, Clerk's Office, 04/12/17 20:12

	Outfall 003			Outfall 009			Outfall 030		
	sample	citation	code	sample	citation	code	sample	citation	code
Jan-04	1190	3							
Feb-04	1600	5							
May-04	1220	17							
	1120	17							
Jun-05				1230	62				
				1241	62	2			
				1330	62				
				1170	B5				
				1270	B5				
Jul-05				1440	66				
Aug-05				1430	69				
Sep-05				1380	72				
				1260	73				
Oct-05				1550	74				
				1540	74				
Nov-05				1270	75				
Dec-05				1350	77				
				1270	77				
Jan-06				1160	79				
				1200	79				
Feb-06				1220	84				
				1150	84				
Mar-06				1240	80				
Apr-06				1190	88				
May-06				1120	89				
				1110	96				
				1150	96				
Jun-06				1120	SC048				
Jul-06				1170	SC059				
				1180	SC059				
				1190	SC059				
Aug-06				1300	SC097				
				1269	SC097	2			
				1250	SC097				
Sep-06				1260	SC0133				
				1250	SC0133				
				1240	SC0133				
Oct-06				1320	SC0178				
				1299	SC0178				
				1290	SC0178				
Nov-06				1350	SC0211				
				1351	SC0211	2			
				1160	SC0211				
Dec-06				1230	SC0248				
				1123	SC0248				
Feb-07	1810	SC0332		1310	SC0337				
Jun-07				1240	SC046				
				1177	SC046				
				1140	SC046				

Violations of 1100 mg/L Daily Maximum Effluent Limit for Sulfate (CONTINUED)

Electronic Filing Received, Clerk's Office, 04/12/2012

Jul-07				1400	SC0575			
				1170	SC0575			
Aug-07				1370	SC0611			
				1310	SC0611			
				1270	SC0611			
Sep-07				1620	SC0647			
				1410	SC0647			
				1280	SC0647			
Oct-07				2970	SC0692			
				2380	SC0692			
				2080	SC0692			
Nov-07				2230	SC0725			
				1950	SC0725	2		
				1610	SC0725			
Dec-07				2040	SC0761			
				1530	SC0761	2		
Feb-08				1150	SC0838			
Apr-08	1150	SC0918						
Dec-08				1400	SC01161			
Feb-09				1230	SC01238			
Jul-09				1310	SC01436			
				1381	SC01436	2		
				1470	SC01436			
Aug-09				1360	SC01469			
				1371	SC01469	2		
				1430	SC01469			
Sep-09				1350	SC01505			
				1291	SC01505	2		
				1220	SC01505			
Oct-09				1260	SC01554		1150	SC01579
Sep-10				1120	140			
				1290	140			
				1136	140			
Oct-10				1170	143			
				1180	143			
				1260	143			
Nov-10				1320	147		1170	150
				1480	147			
				1500	147			
Dec-10				1360	151		1180	156
				1700	151		1260	156
Jan-11							1140	SC01711
							1130	SC01711
Apr-11				1360	SC01775			
Aug-11				1550	SC01912			
				1530	SC01912			
				1440	SC01912			
Sep-11				1590	SC01944			
				1470	SC01944			
				1380	SC01944			

Violations of 1100 mg/L Daily Maximum Effluent Limit for Sulfate (CONTINUED)

Electronic Filing Received, Clerk's Office, 04/27/2012

# VIOLATIONS	6	92	6	TOTAL VIOLATIONS	104
MAX PENALTY	\$60,000	\$920,000	\$60,000		
TOTAL MAXIMUM PENALTY:	\$1,040,000				
FREEMAN					
# VIOLATIONS	5	50	0	FREEMAN VIOLATIONS	55
MAX PENALTY	\$50,000	\$500,000	\$0		
TOTAL MAXIMUM PENALTY:	\$550,000				
SPRINGFIELD					
# VIOLATIONS	1	42	6	SPRINGFIELD VIOLATIONS	49
MAX PENALTY	\$10,000	\$420,000	\$60,000		
TOTAL MAXIMUM PENALTY:	\$490,000				

Violations of 500 mg/L Daily Maximum Effluent Limit for Sulfate

Electronic Filing Received, Clerk's Office, 04/27/2012

	Outfall 24W			Outfall 026			Outfall 027		
	sample	citation	code	sample	citation	code	sample	citation	code
Feb-06	548	B2					516	85	
	600	B2							
Mar-06	506	86							
	520	86							
Apr-06	511	94		536	92				
	628	94							
	558	94	2						
May-06	552	99							
	562	99							
Jun-06	592	103	2						
	572	103							
	635	103							
Jul-06	578	SC075							
Dec-06	1090	SC0274							
	576	SC0274							
Jan-07	610	SC0316		514	SC0319		879	SC0321	
	596	SC0316		502	SC0319				
May-07	1080	SC0496							
	594	SC0496	2						
Jun-07	507	SC0547							
	519	SC0547	2						
	576	SC0547							
Jul-07	544	SC0600							
Jul-08	531	SC01017							
Mar-09	544	SC01294							
May-09				515	SC01368				
Jun-09				818	SC01416				
				641	SC01416	2			
				509	SC01416				
Jul-09				869	SC01454				
				904	SC01454	2			
				927	SC01454				
Sep-09				853	SC01534				
				759	SC01534	2			
				692	SC01534				
Oct-09				694	SC01572				
Jan-10				715	113				
Feb-10				517	115	2			
				566	115				
May-10				672	127				
Jun-10				693	133				
Jul-10				974	137				
				1120	137				
Aug-10				713	139				
				1500	139				

Violations of 500 mg/L Daily Maximum Effluent Limit for Sulfate (CONTINUED)

Electronic Filing Received, Clerk's Office, 04/27/2012

Sep-10				678	142				
				1050	142				
				1100	142				
Oct-10				884	145				
				1150	145				
				1170	145				
Nov-10	609	148		1160	149				
	612	148		1180	149				
				1240	149				
Dec-10	699	154		1400	155				
	730	154		1520	155				
Jan-11				620	SC01708				
				736	SC01708				
Apr-11	591	SC01784		1040	SC01786				

# VIOLATIONS	30		37		2	TOTAL VIOLATIONS	69
MAX PENALTY	\$300,000		\$370,000		\$20,000		
TOTAL MAXIMUM PENALTY:	\$690,000						
FREEMAN							
# VIOLATIONS	23		3		2	FREEMAN VIOLATIONS	28
MAX PENALTY	\$230,000		\$30,000		\$20,000		
TOTAL MAXIMUM PENALTY:	\$280,000						
SPRINGFIELD							
# VIOLATIONS	7		34		0	SPRINGFIELD VIOLATIONS	41
MAX PENALTY	\$70,000		\$340,000		\$0		
TOTAL MAXIMUM PENALTY:	\$410,000						

Violations of Monthly Avg Effluent Limit for TSS

Electronic Filing - Received, Clerk's Office, 04/27/2012

	Outfall 002			Outfall 003			Outfall 009			Outfall 018			Outfall 019		
	sample	citation	code	sample	citation	code	sample	citation	code	sample	citation	code	sample	citation	code
Feb 2004															
May 2004															
July 2004															
Jan. 2005				48.5	46	1				38	40	1			
Apr. 2005													84	57	3
July 2006															
Jan. 2007				37.0	SC0296	1									
Feb. 2007							48.0	SC0336	1						
May 2007	46.0	SC0473								46.0	SC0482				
July 2007															
Feb. 2008				49.0	SC0834	3				47.7	SC0840				
Apr. 2008										160.0	SC0922				
June 2008				41.0	SC0964	3				38.7	SC0970				
Jan. 2009							44.3	SC01204							
Feb. 2010															
Mar. 2010															
April 2010															
May 2010															
June 2010										49.0	130	3			
July 2010										38.5	136	1			
Feb. 2011															
March 2011															

# VIOLATIONS	1	4	2	7	1
MAX PENALTY	\$300,000	\$1,200,000	\$600,000	\$2,100,000	\$300,000

TOTAL MAXIMUM PENALTY: **\$11,400,000**

FREEMAN					
# VIOLATIONS	1	2	1	2	1
MAX PENALTY	\$300,000	\$600,000	\$300,000	\$600,000	\$300,000

TOTAL MAXIMUM PENALTY: **\$4,200,000**

SPRINGFIELD					
# VIOLATIONS	0	2	1	5	0
MAX PENALTY	\$0	\$600,000	\$300,000	\$1,500,000	\$0

TOTAL MAXIMUM PENALTY: **\$7,200,000**

Violations of Monthly Avg Effluent Limit for TSS (CONTINUED)

Electronic Filing - Received, Clerk's Office, 04/27/2012

Outfall 026			Outfall 029			Outfall 031			Outfall 032			Outfall 033		
sample	citation	code	sample	citation	code	sample	citation	code	sample	citation	code	sample	citation	code
			44	10	1									
			39	18	1									
45	24	3	160	B1	3									
			55.5	45	1									
36	SC079	3												
<43	SC0589	1												
			64.0	SC0860										
						45.7	119					40.30	118	
						42.5	123					37.00	122	
												43.00	128	1
						44.0	131	1	45.5	134	1	36.00	135	1
									47.0	138	1			
												64.00	SC01733	1
						63.0	SC01763		42.0	SC01765				

3 \$900,000	5 \$1,500,000	4 \$1,200,000	3 \$900,000	5 \$1,500,000
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3 \$900,000	4 \$1,200,000	0 \$0	0 \$0	0 \$0
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0 \$0	1 \$300,000	4 \$1,200,000	3 \$900,000	5 \$1,500,000
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Violations of Daily Maximum Effluent Limit for TSS

Electronic Filing - Received, Clerk's Office, 04/27/2012

	Outfall 002			Outfall 003			Outfall 009			Outfall 018			Outfall 019			Outfall 026		
	sample	citation	code	sample	citation	code	sample	citation	code	sample	citation	code	sample	citation	code	sample	citation	code
Jul-04																		
Jan-05				81	46													
Apr-05													84	57				
Dec-05							99	B3										
Feb-07							87	SC0336										
May-07	96	SC0473								121	SC0482							
Jul-07																86	SC0589	
Feb-08										116	SC0840							
Apr-08										461	SC0922							
Jun-08										100	SC0970							
Jan-09							80	SC01204										
Feb-10																		
Mar-11																		

VIOLATIONS **1**
MAX PENALTY **\$10,000**

VIOLATIONS **1**
MAX PENALTY **\$10,000**

VIOLATIONS **3**
MAX PENALTY **\$30,000**

VIOLATIONS **4**
MAX PENALTY **\$40,000**

VIOLATIONS **1**
MAX PENALTY **\$10,000**

VIOLATIONS **1**
MAX PENALTY **\$10,000**

**TOTAL
MAXIMUM
PENALTY:** **\$140,000**

FREEMAN
VIOLATIONS **1**
MAX PENALTY **\$10,000**

VIOLATIONS **1**
MAX PENALTY **\$10,000**

VIOLATIONS **2**
MAX PENALTY **\$20,000**

VIOLATIONS **1**
MAX PENALTY **\$10,000**

VIOLATIONS **1**
MAX PENALTY **\$10,000**

VIOLATIONS **1**
MAX PENALTY **\$10,000**

**TOTAL
MAXIMUM
PENALTY:** **\$80,000**

SPRINGFIELD
VIOLATIONS **0**
MAX PENALTY **\$0**

VIOLATIONS **0**
MAX PENALTY **\$0**

VIOLATIONS **1**
MAX PENALTY **\$10,000**

VIOLATIONS **3**
MAX PENALTY **\$30,000**

VIOLATIONS **0**
MAX PENALTY **\$0**

VIOLATIONS **0**
MAX PENALTY **\$0**

**TOTAL
MAXIMUM
PENALTY:** **\$60,000**

Violations of Daily Maximum Effluent Limit for TSS (CONTINUED)

Electronic filing - Received, Clerk's Office, 04/27/2012

Outfall 029			Outfall 031		
sample	citation	code	sample	citation	code
160	B1	3			
			73	119	
			87	SC01763	

1	2	TOTAL VIOLATIONS	14
\$10,000	\$20,000		

1	0	FREEMAN VIOLATIONS	8
\$10,000	\$0		

0	2	SPRINGFIELD VIOLATIONS	6
\$0	\$20,000		

Violations of 6.0-9.0 Effluent Limit for pH

Electronic Filing Received, Clerk's Office, 04/27/2012

	Outfall 002		Outfall 019		Outfall 021		Outfall 022		Outfall 24W		Outfall 026		Outfall 027		Outfall 030	
	sample	citation	sample	citation	sample	citation	sample	citation	sample	citation	sample	citation	sample	citation	sample	citation
Jul-04	4.82	22														
Apr-05			9.67	57												
Jun-05			9.76	64												
Jul-06																
May-07											10.40	SC079				
Jun-07											9.74	SC0498				
											9.43	SC0551				
											not specific	SC0553				
Jun-08									9.07	SC0981						
May-09			5.29	SC01355												
Jun-09			4.25	SC01396												
Jul-09			3.62	SC01441									9.40	SC01456		
Sep-09							9.58	SC01525								
Dec-09			9.15	SC01630											3.21	SC01662
Jan-10			9.04	112												
Mar-10			9.04	121												
Jun-10					3.90	132										
Jul-10											9.38	137				

# VIOLATIONS	1	8	1	1	1	5	1	1												TOTAL VIOLATIONS	19
MAX PENALTY	\$10,000	\$80,000	\$10,000	\$10,000	\$10,000	\$50,000	\$10,000	\$10,000													

TOTAL MAXIMUM PENALTY: \$190,000

FREEMAN																						
# VIOLATIONS	1	2	0	0	0	4	0	0													FREEMAN VIOLATIONS	7
MAX PENALTY	\$10,000	\$20,000	\$0	\$0	\$0	\$40,000	\$0	\$0														

TOTAL MAXIMUM PENALTY: \$70,000

SPRINGFIELD																							
# VIOLATIONS	0	6	1	1	1	1	1	1														SPRINGFIELD VIOLATIONS	12
MAX PENALTY	\$0	\$60,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000															

TOTAL MAXIMUM PENALTY: \$120,000

Violations of 0.5 mL/L Maximum Effluent Limit for Settlable Solids

Electronic Filing Received, Clerk's Office, 04/17/2012

	Outfall 021			Outfall 030		
	sample	citation	code	sample	citation	code
Feb-04	0.8	B4	3			
Sep-04	0.7	33				
Apr-05				0.6	65	
Jun-10	0.8	132				

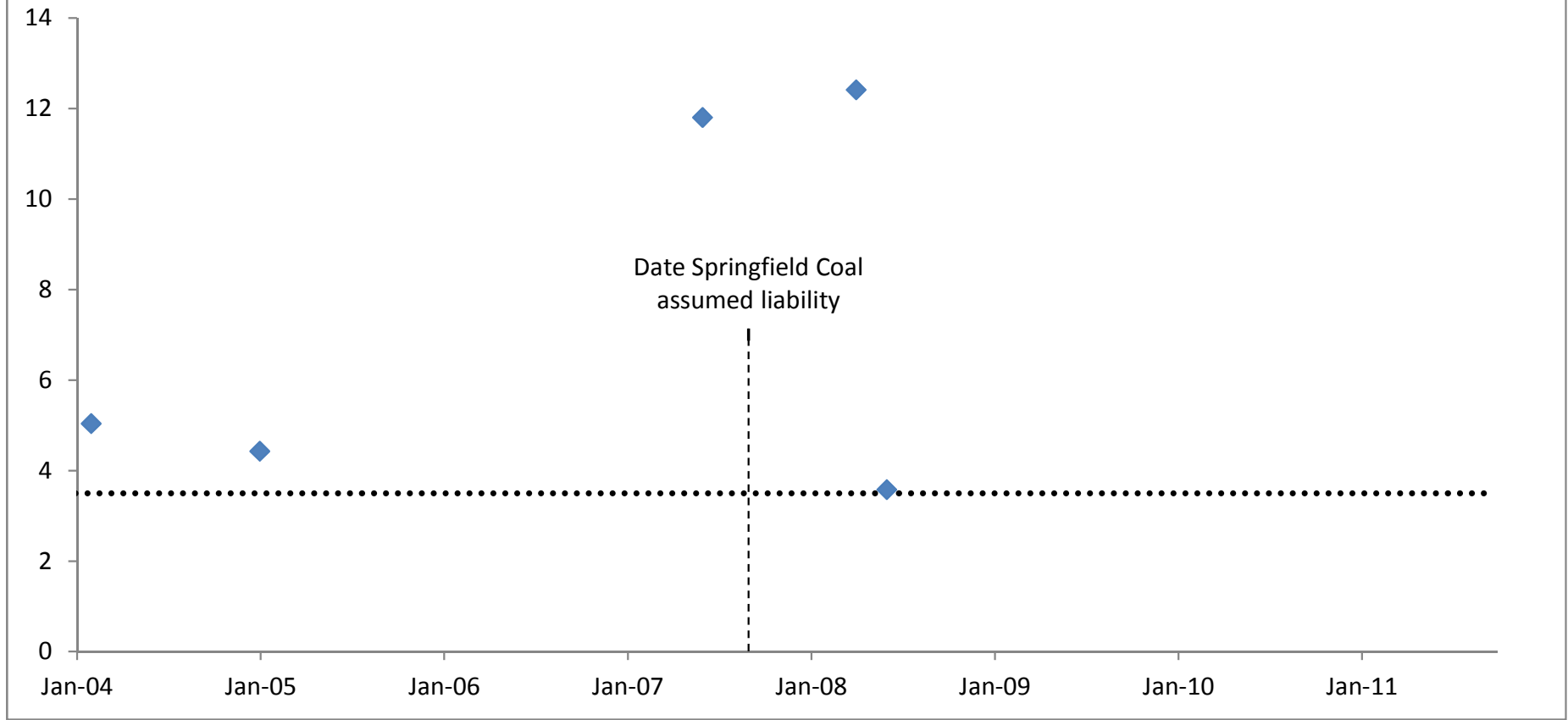
# VIOLATIONS	3	1	TOTAL VIOLATIONS	4
MAX PENALTY	\$30,000	\$10,000		
TOTAL MAXIMUM PENALTY:	\$40,000			
FREEMAN				
# VIOLATIONS	2	1	FREEMAN VIOLATIONS	3
MAX PENALTY	\$20,000	\$10,000		
TOTAL MAXIMUM PENALTY:	\$30,000			
SPRINGFIELD				
# VIOLATIONS	1	0	SPRINGFIELD VIOLATIONS	1
MAX PENALTY	\$10,000	\$0		
TOTAL MAXIMUM PENALTY:	\$10,000			

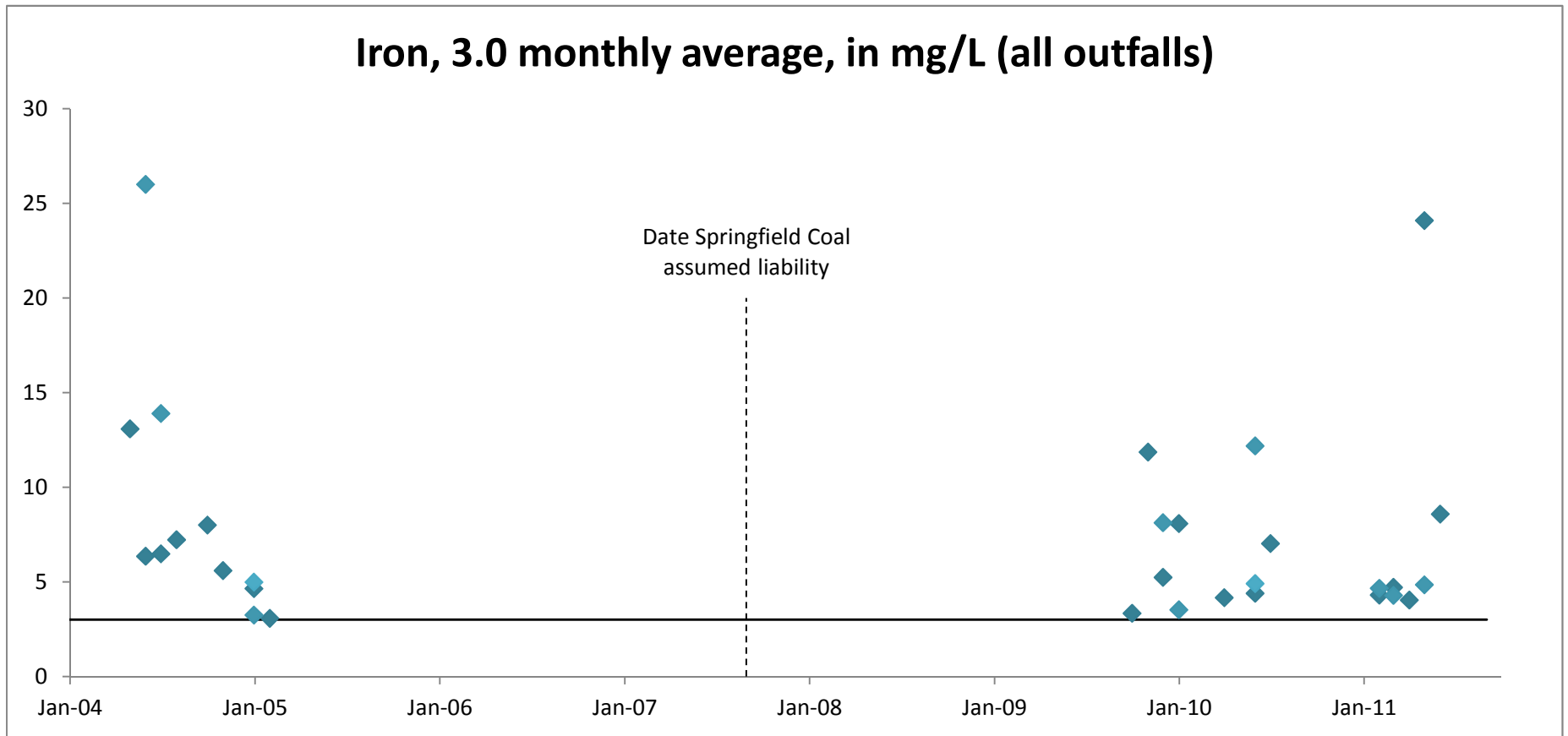
Exhibit 4:

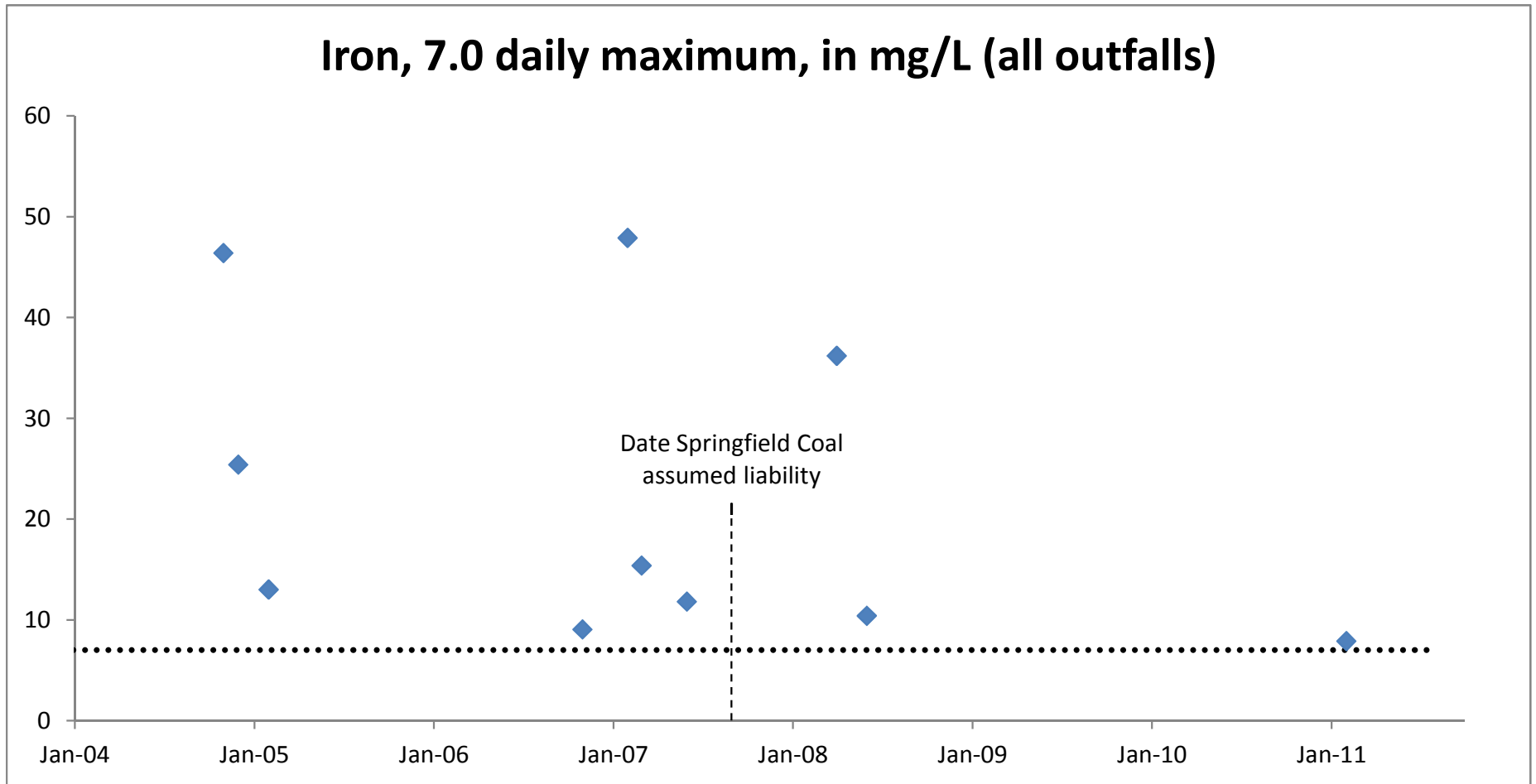
Graphs Depicting Industry Mine Violations

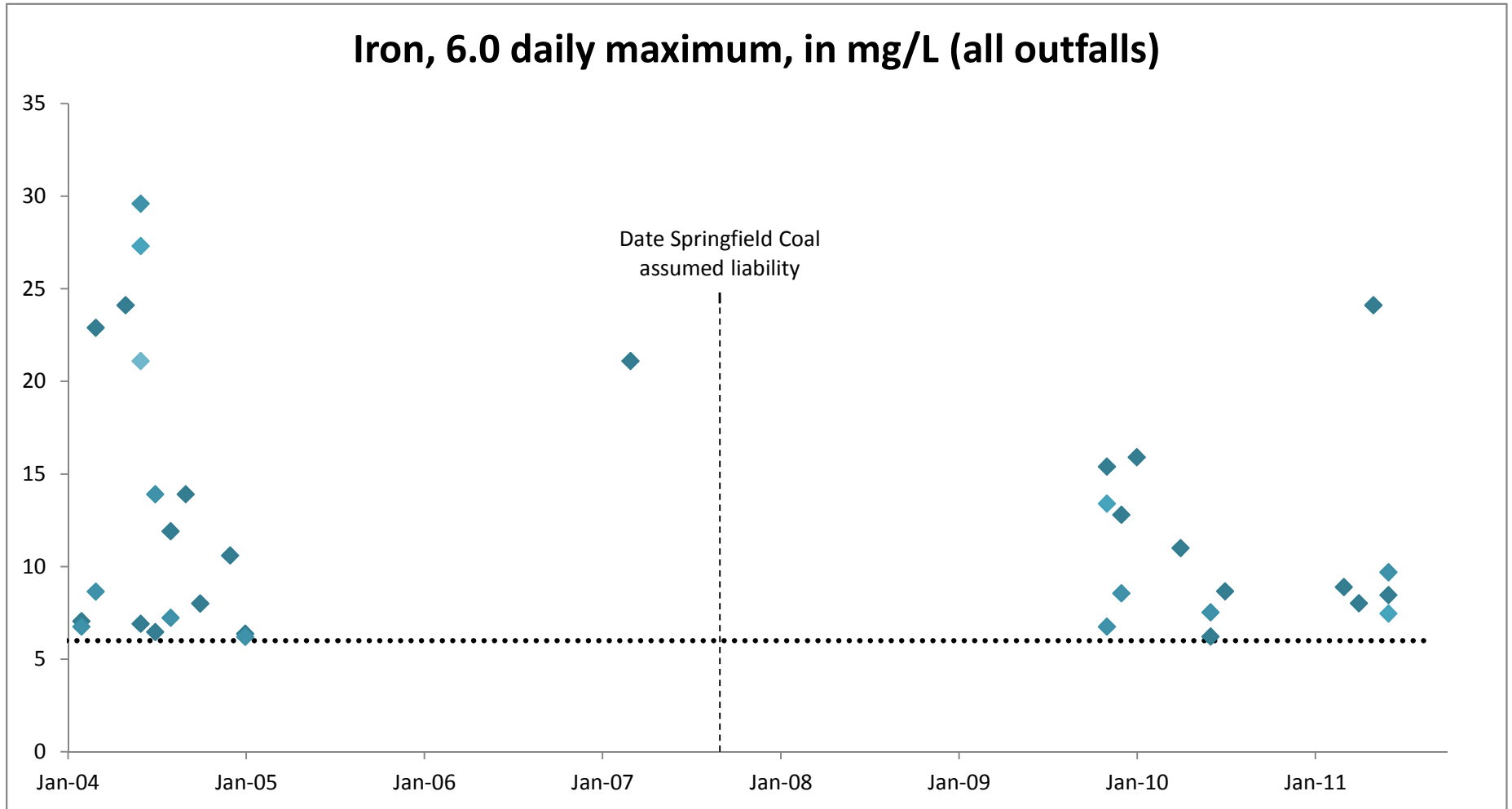
This document graphs the violations from Exhibit 3 (all outfalls) on a scatter plot to show the magnitude of violations and consistency over time. On each graph, the effluent limit is plotted as a horizontal dotted line and the August 2007 date (when ownership and liability transferred from Freeman to Springfield Coal) is plotted as a vertical dashed line.

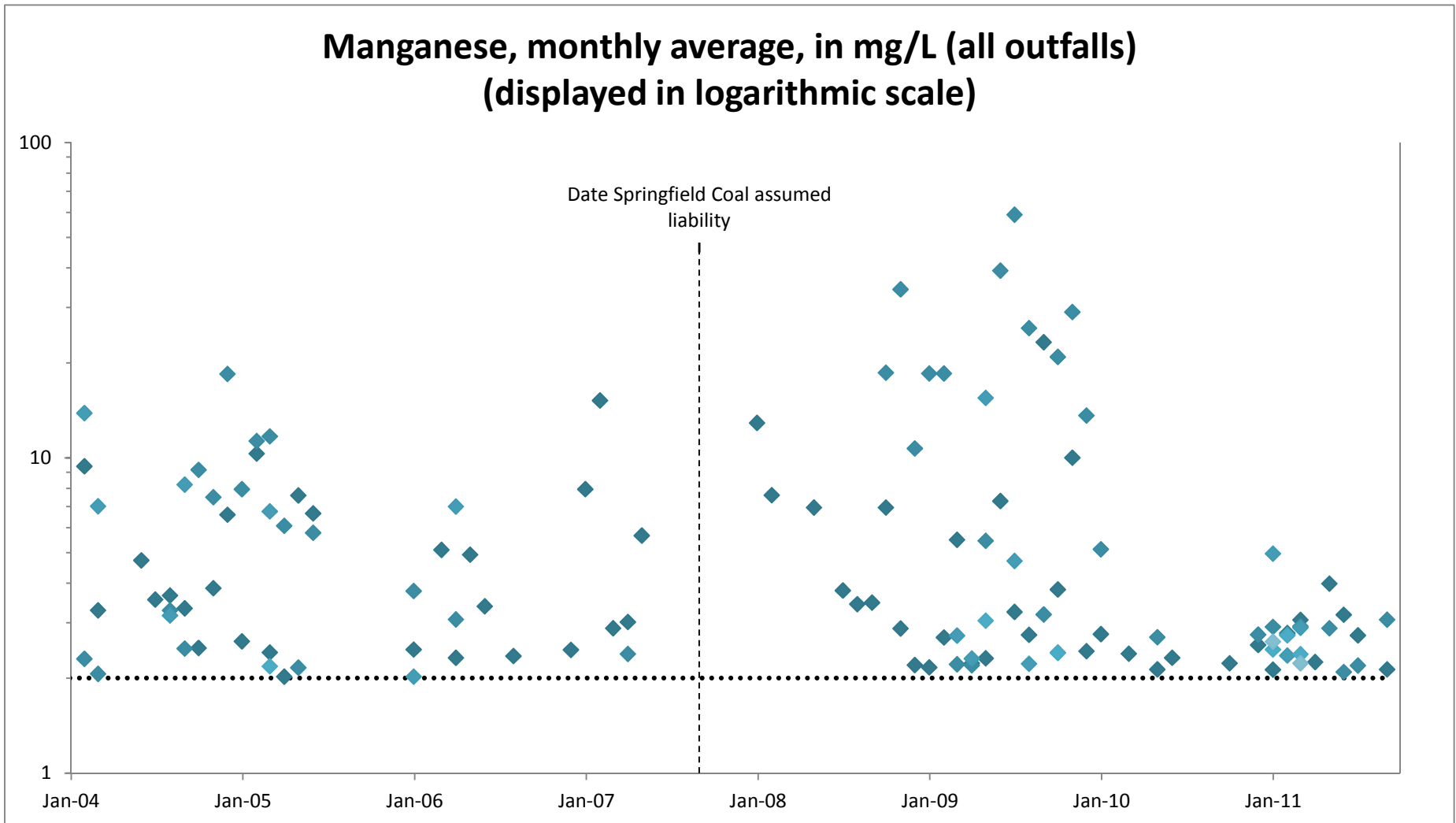
Iron, 3.5 monthly average, in mg/L (all outfalls)

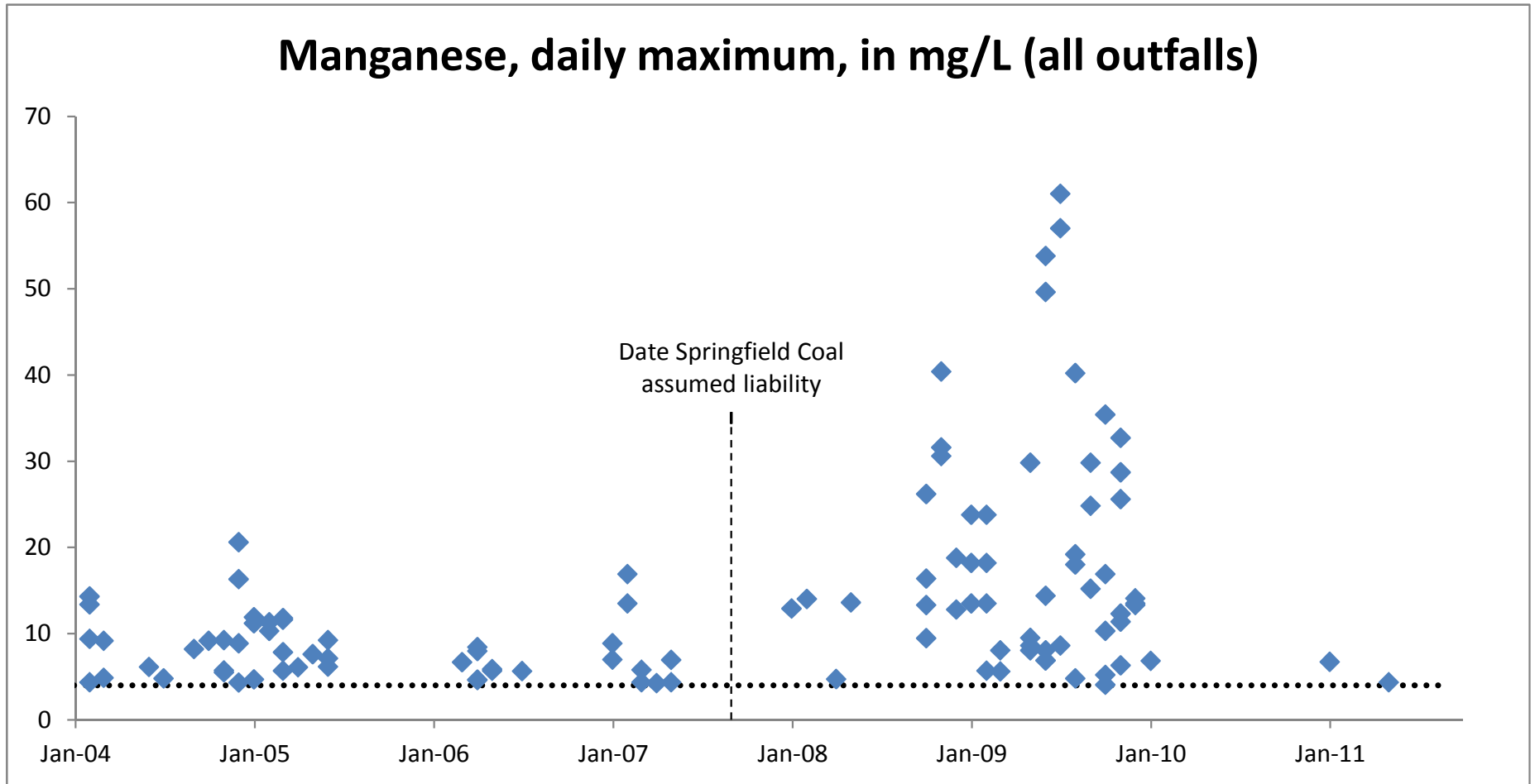




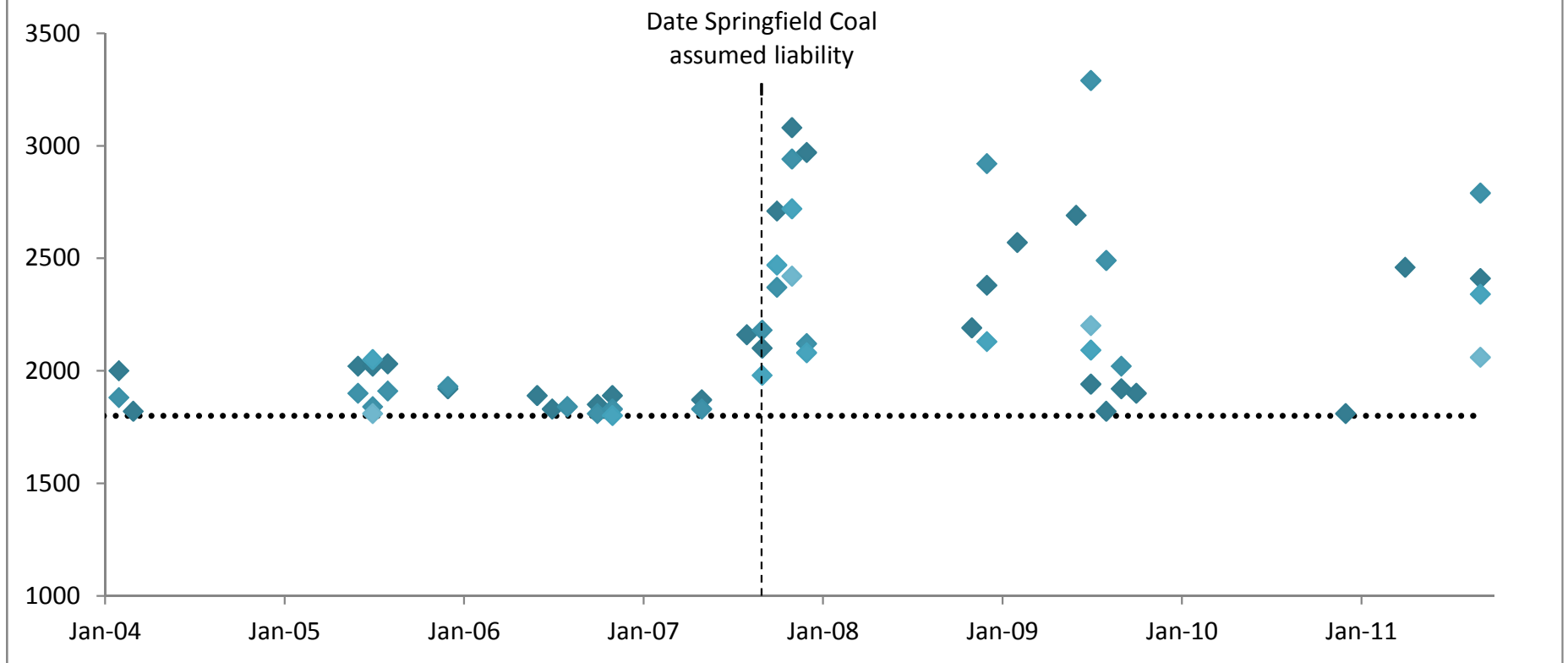


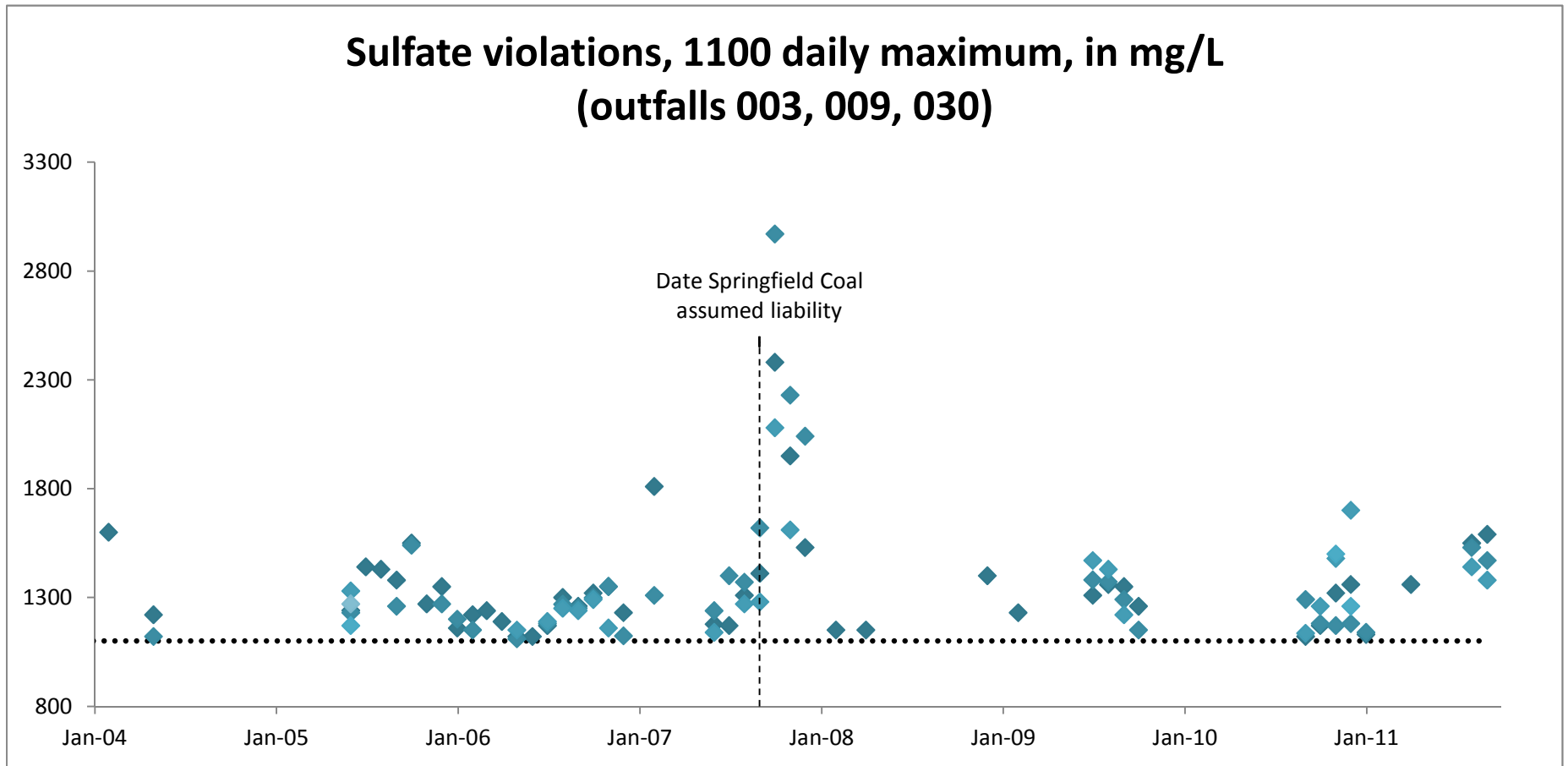




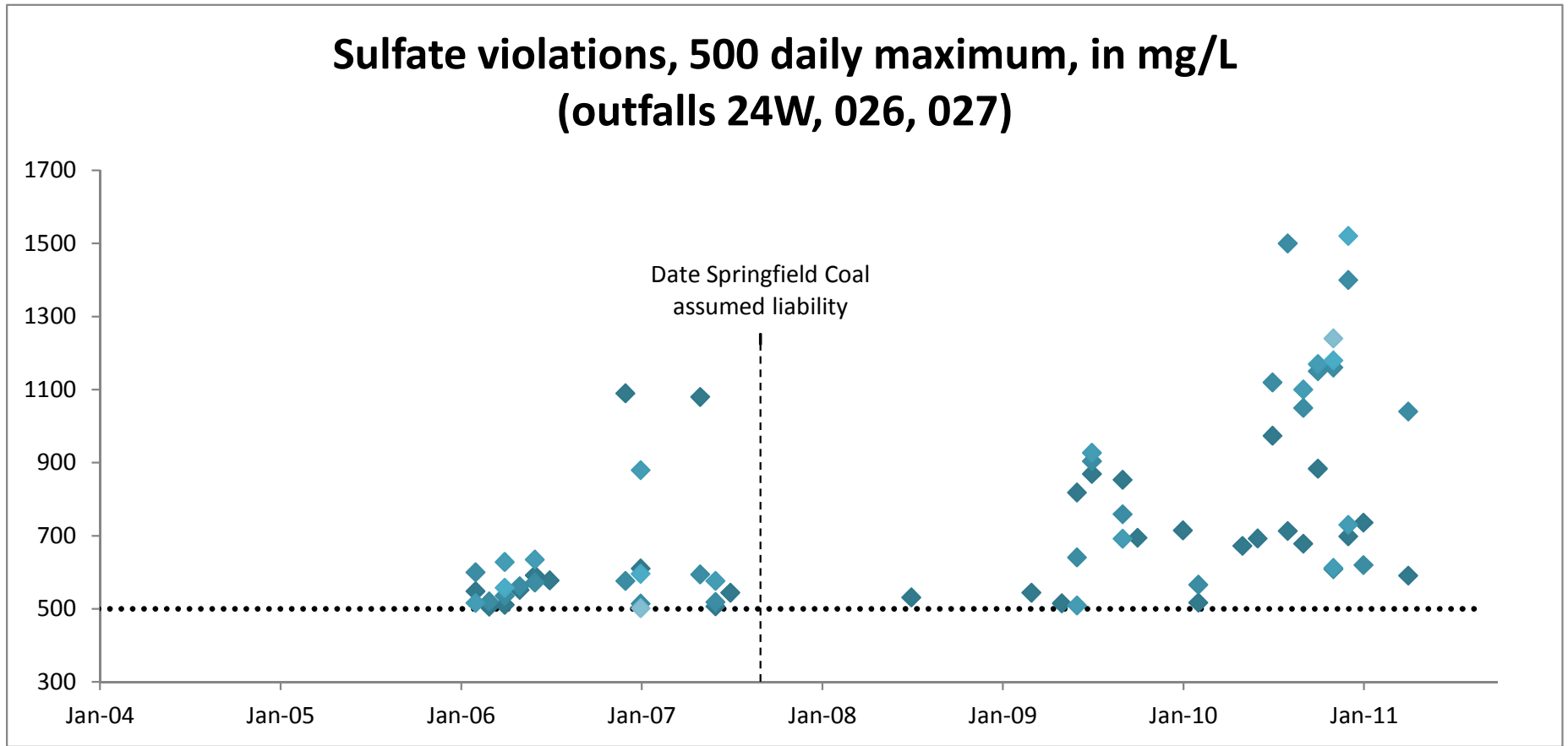


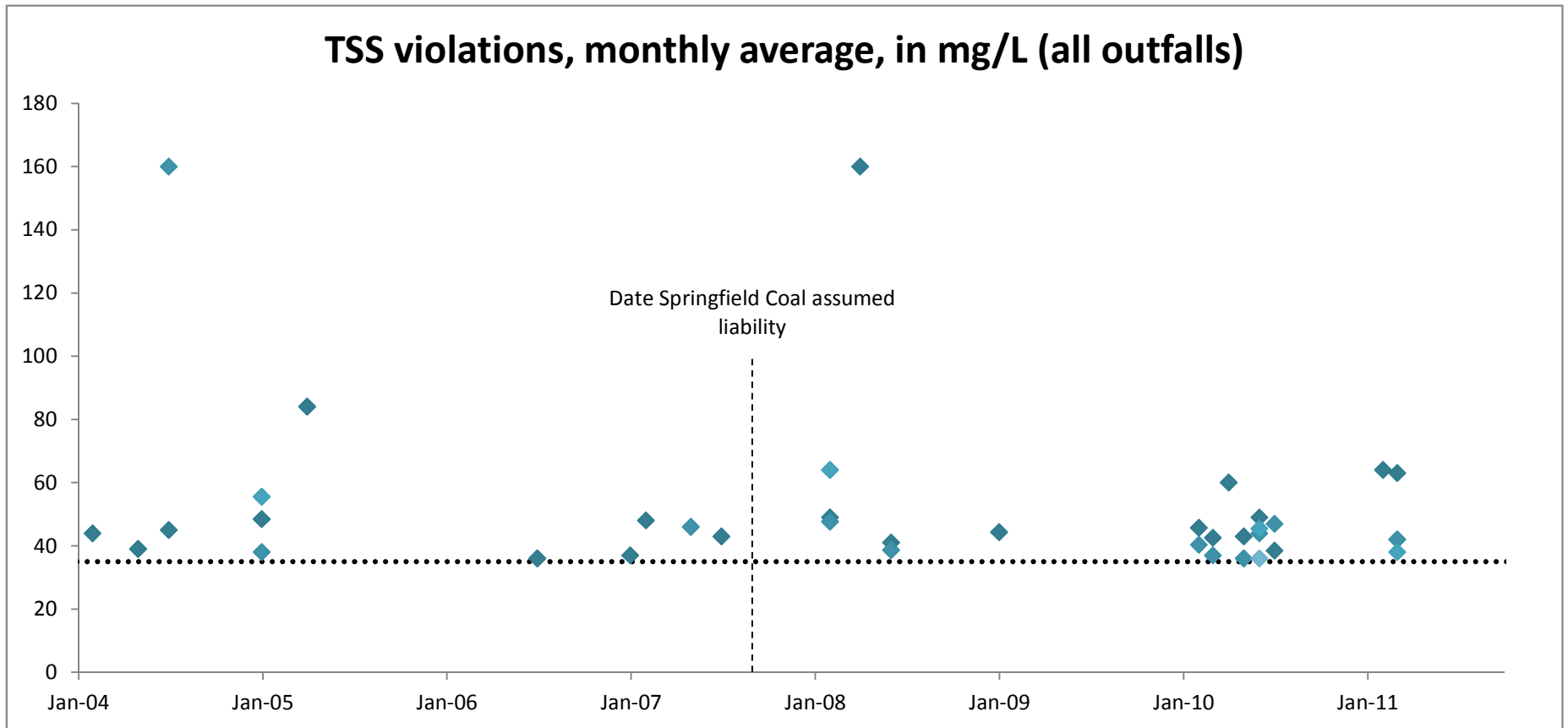
Sulfate violations, 1800 daily maximum, in mg/L (outfalls 018, 18, 019)

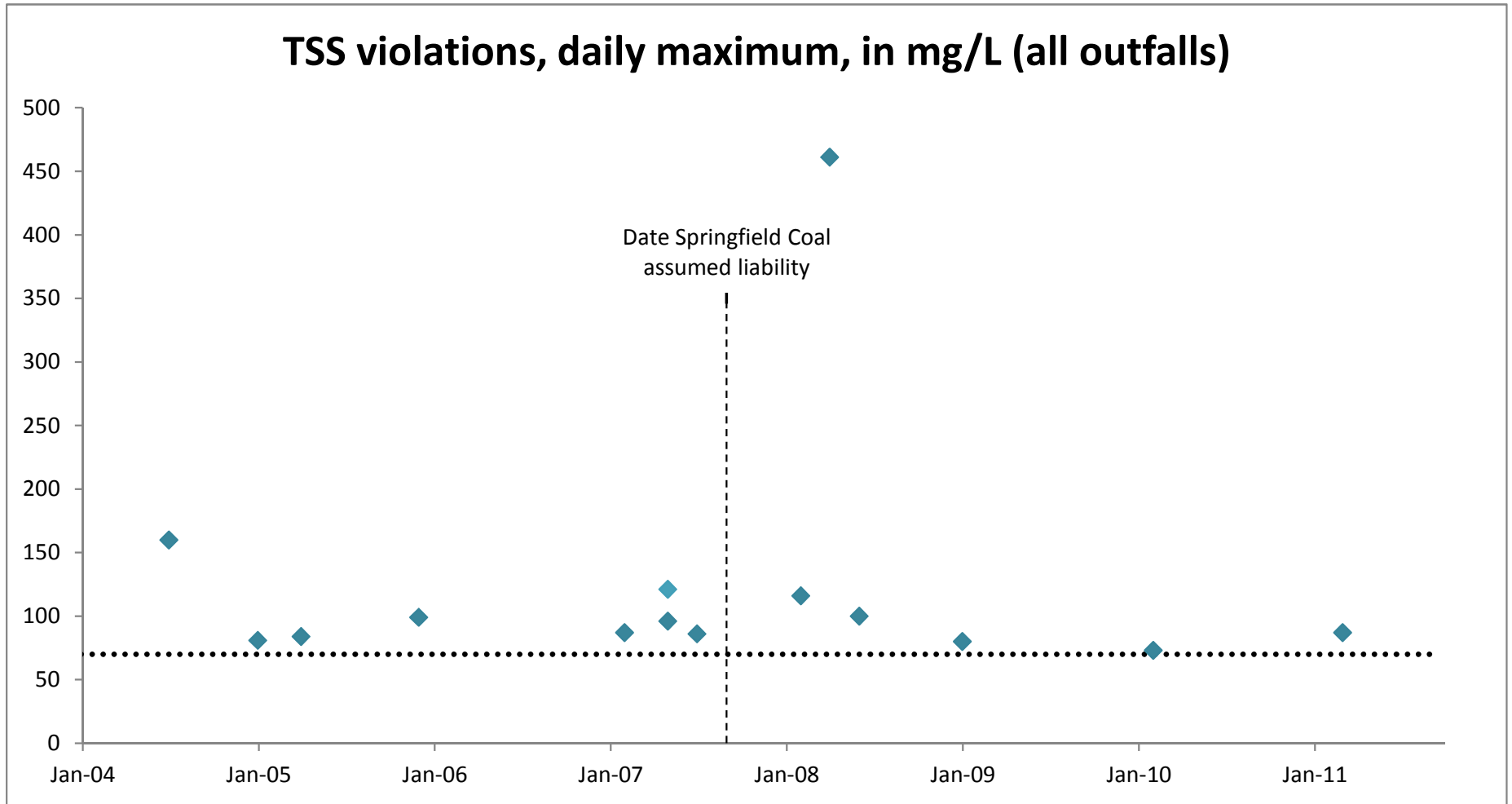




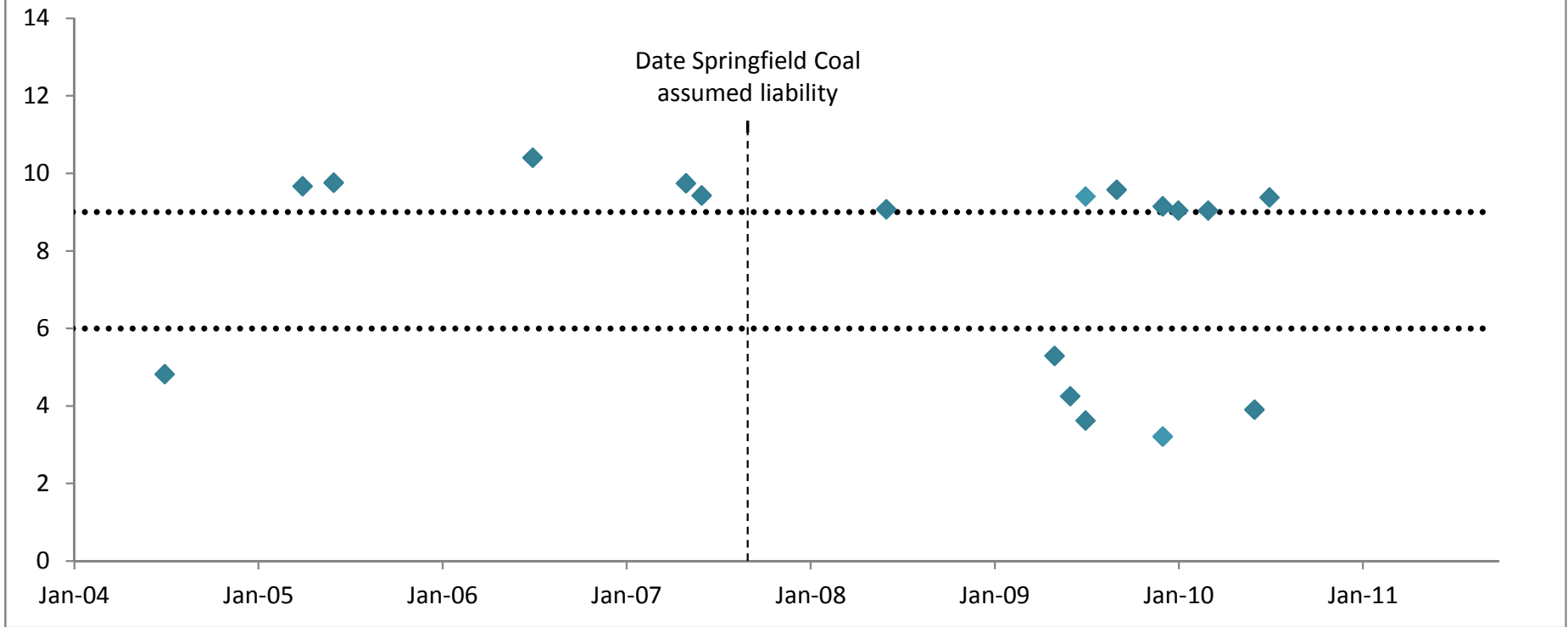
Sulfate violations, 500 daily maximum, in mg/L (outfalls 24W, 026, 027)







pH violations, maximum and minimum, in standard units (all outfalls)



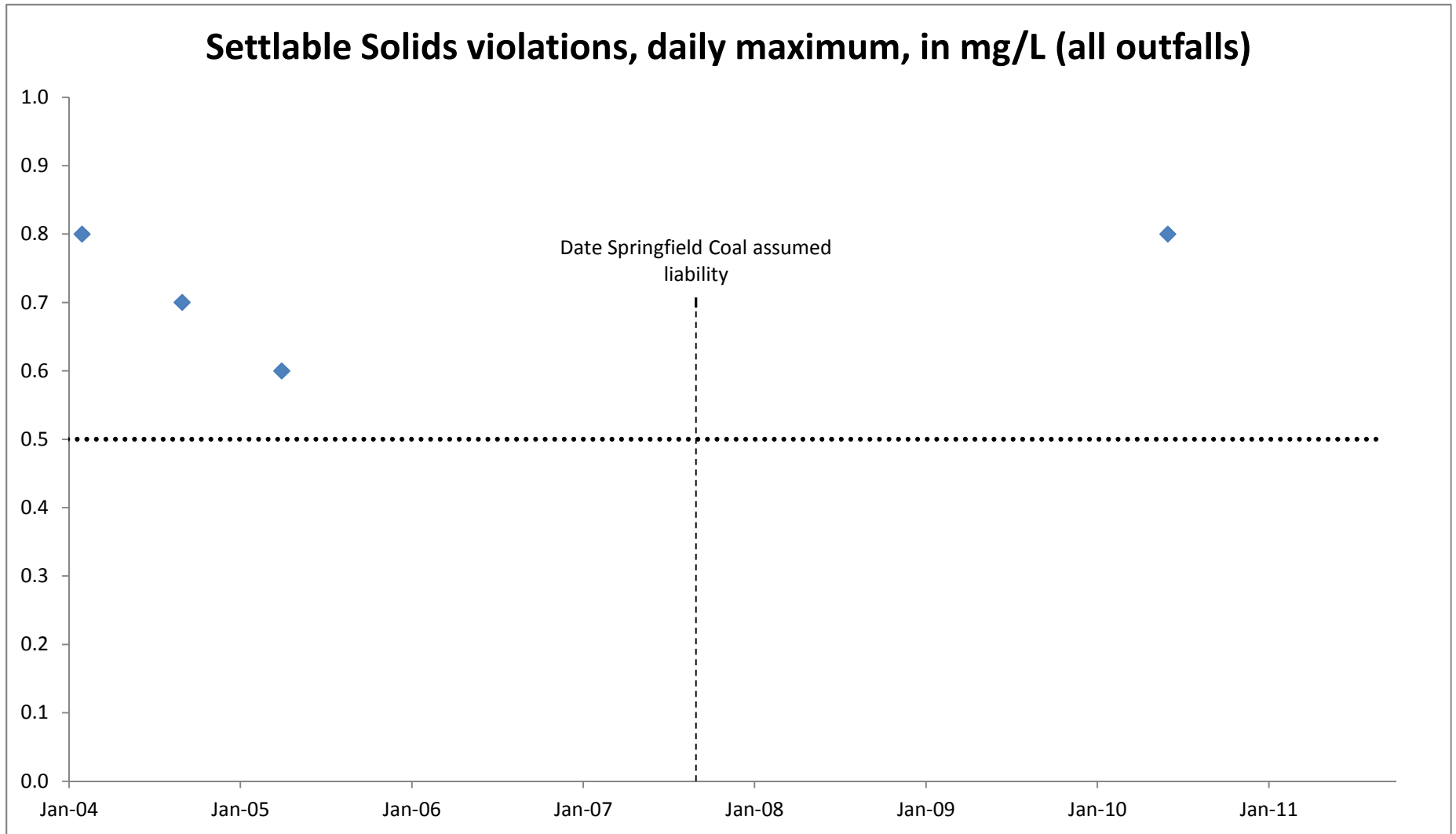


Exhibit 5

DMRs cited in Exhibit 3 (5 pages)

Where Exhibit 3 shows a violation citing to a page beginning with “B” (e.g. “B1”), those DMRs are included here.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM COMMENTS

DISCHARGE MONITORING REPORT

PERMITTEE NAME Freeman United Coal Mining Company
 ADDRESS Industry Mine
 P.O. Box 260
 Industry, Illinois 61440
 PHONE (309) 254-3333

COMMENTS POND BASE FLOW
 ALKALINE MINE DRAINAGE

IL	IL-0061247	029	1211	40°-16'-27"	90°-45'-06"
ST	PERMIT NUMBER	DIS	SIC	LATITUDE	LONGITUDE
REPORTING PERIOD FROM		04	07	01	TO
YEAR MO DAY		24	07	01	YEAR MO DAY

ALTERNATE EFFLUENT STANDARDS
 APPLY FOR PRECIPITATION EVENTS
 WHICH CAUSE AN INCREASE IN BASE
 FLOW DISCHARGE

PARAMETER	REPORTED	QUANTITY				CONCENTRATION					FREQUENCY OF ANALYSIS	SAMPLE TYPE	
		MINIMUM	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS	NO EX			
pH 00400	REPORTED							7.18			0	1/mo	
	PERMIT CONDITION						6.0		9.0			1/month	Grab
TSS 00530	REPORTED							160			1	1/mo	
	PERMIT CONDITION						0		70	mg/l		3/month	Grab
Alkalinity 00410	REPORTED											0	
	PERMIT CONDITION						Greater than acidity			mg/l		1/month	Grab
Acidity 00435	REPORTED											0	
	PERMIT CONDITION						Less than alkalinity			mg/l		1/month	Grab
Total Iron 01045	REPORTED							13.9			1	1/mo	
	PERMIT CONDITION						0		6.0	mg/l		3/month	Grab
Chloride 00945	REPORTED							16			0	1/mo	
	PERMIT CONDITION							500		mg/l		3/month	Grab
Sulfate 00940	REPORTED							12			0	1/mo	
	PERMIT CONDITION							1100		mg/l		3/month	Grab
Flow 50050	REPORTED							5			0	1/mo	
	PERMIT CONDITION											3/month	Grab
NAME OF PRINCIPAL EXECUTIVE OFFICER		TITLE OF THE OFFICER			DATE		I certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief such information is true, complete, and accurate.					SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	
LAST	FIRST	M.I.	TITLE	YEAR	MO	DAY							
Caldwell	Mike	E.	Vice President - Engineering	04	10	25						<i>M. Caldwell</i>	

WPC 242 11/79

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 111 1/2, Section 1042. Disclosure of this information is required. Failure to do so may result in a civil penalty up to \$10,000.00 per day of violation.

PERMITTEE NAME Freeman United Coal Mining Company
 ADDRESS Industry Mine
 P.O. Box 250
 Industry, Illinois 61440
 PHONE (309) 254-3333

RECEIVED COMMENTS
 APR 28 2006
 I E P A

B2
 Pond Base Flow
 Acid Mine Drainage

IL 51 IL-0061247 PERMIT NUMBER
 024 DIS 1211 SIC
 40° 16' 20" 90° 42' 45" LATITUDE LONGITUDE
 06 02 01 06 02 218 REPORTING PERIOD FROM TO
 YEAR MO DAY YEAR MO DAY

ALTERNATE EFFLUENT STANDARDS
 APPLY FOR PRECIPITATION EVENTS
 WHICH CAUSE AN INCREASE IN BASE
 FLOW DISCHARGE

PARAMETER		QUANTITY				CONCENTRATION					FREQUENCY OF ANALYSIS	SAMPLE TYPE
		MINIMUM	AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS	NO EX		
Chloride 00945	REPORTED					15		16		0	2/mo	
	PERMIT CONDITION							500	mg/l		9/QTR	Grab
Sulfate 00940	REPORTED					548		600		2	2/mo	
	PERMIT CONDITION							500	mg/l		9/QTR	Grab
Total Manganese 01055	REPORTED					1.91	1.98	2.08		0	3/mo	
	PERMIT CONDITION					0		4.0	mg/l		9/QTR	Grab
Flow 50050	REPORTED					5	13.3	30		0	3/mo	
	PERMIT CONDITION								gpm		9/QTR	Grab
	REPORTED											
	PERMIT CONDITION											
	REPORTED											
	PERMIT CONDITION											
	REPORTED											
	PERMIT CONDITION											
	REPORTED											
	PERMIT CONDITION											
NAME OF PRINCIPAL EXECUTIVE OFFICER		TITLE OF THE OFFICER		DATE		I certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief such information is true, complete, and accurate.					SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	
Caldwell Mike E		Vice President - Engineering		06 04 25							Steve Pifer for me	
LAST FIRST M		TITLE		YEAR MO DAY							PAGE 15 OF 38	

PL 537-0092
 WPC 242 11/79

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 111 1/2, Section 1042. Disclosure of this information is required. Failure to do so may result in a civil penalty up to \$10,000.00 per day of violation or a fine up to \$25,000.00 per day of violation and imprisonment up to one year. This form has been approved by the Forms Management Center.

PERMITTEE NAME Freeman United Coal Mining Company
 ADDRESS Industry Mine
 P.O. Box 260
 Industry, Illinois 61440

COMMENTS B3
 POND Base Flow
 Acid Mine Drainage

IL 0061247 PERMIT NUMBER
 009 DIS 1211 SIC
 40° 16' 58" 90° 42' 10" LATITUDE LONGITUDE

REPORTING PERIOD FROM 05/12/01 TO 05/12/01
 YEAR MO DAY YEAR MO DAY

ALTERNATE EFFLUENT STANDARDS
 APPLY FOR PRECIPITATION EVENTS
 WHICH CAUSE AN INCREASE IN BASE
 FLOW DISCHARGE

PARAMETER	REPORTED	QUANTITY					CONCENTRATION				FREQUENCY OF ANALYSIS	SAMPLE TYPE	
		MINIMUM	AVERAGE	MAXIMUM	UNITS	NO EX	MINIMUM	AVERAGE	MAXIMUM	UNITS			NO EX
pH 00400	REPORTED						7.89		7.91		0	2	
	PERMIT CONDITION						6.0		9.0			3/month	Grab
TSS 00530	REPORTED						46		99		1	2	
	PERMIT CONDITION						0		70	mg/l		9/QTR	Grab
Alkalinity 00410	REPORTED						344		390		0	2	
	PERMIT CONDITION						Greater Than Acidity			mg/l		1/month	Grab
Acidity 00435	REPORTED						-355		-381		0	2	
	PERMIT CONDITION						Less Than Alkalinity			mg/l		1/month	Grab
Total Iron 01045	REPORTED						0.19		1.23		0	2	
	PERMIT CONDITION						0		7.0	mg/l		9/QTR	Grab
Continued on next page	REPORTED												
	PERMIT CONDITION												
	REPORTED												
	PERMIT CONDITION												

NAME OF PRINCIPAL EXECUTIVE OFFICER Caldwell Mike E
 TITLE OF THE OFFICER Vice President - Engineering
 DATE 06/01/04
 I certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief such information is true, complete, and accurate.
 SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT Steve Pifer for MC

IL 532-0093
 WPC 242 11/79

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 111 1/2, Section 1042. Disclosure of this information is required. Failure to do so may result in a civil penalty up to \$10,000.00 per day of violation or a fine up to \$25,000.00 per day of violation and imprisonment up to one year. This form has been approved by the Illinois Environmental Protection Agency.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM COMMENTS
DISCHARGE MONITORING REPORT

PERMITTEE NAME Freeman United Coal Mining Company
ADDRESS Industry Mine
P.O. Box 260
PHONE Industry, Illinois 61440
(309) 254-3333

COMMENTS RECLAMATION AREAS

IL ST PERMIT NUMBER IL-0061247
 DIS 021 SIC 1211
 LATITUDE 40°17'20" LONGITUDE 90°45'10"
 REPORTING PERIOD FROM 04 01 01 TO 04 01 01
(12-31) (12-31) (12-31) (12-31) (12-31)

* Grab Sample Required For Every
Precipitation Event Over 10 Year
24 Hour Storm, Alterate Effluent
Standards Apply

PARAMETER		QUANTITY					CONCENTRATION					FREQUENCY OF ANALYSIS	SAMPLE TYPE	
		MINIMUM	AVERAGE	MAXIMUM	UNES	NO EX	MINIMUM	AVERAGE	MAXIMUM	UNITS	EX			
pH 00400	REPORTED											0	1	Grab
	PERMIT CONDITION													
Settleable Solids	REPORTED							6.0		9.0			1/month*	GRAB
	PERMIT CONDITION							0.8				0	1	Grab
Sulfates 00940	REPORTED									0.5	mg/l		1/month	GRAB
	PERMIT CONDITION											0	1	Grab
Chloride 00945	REPORTED									500	mg/l		1/month	GRAB
	PERMIT CONDITION											0	1	Grab
Flow 50050	REPORTED									500	mg/l		1/month	GRAB
	PERMIT CONDITION											0	1	Grab
	REPORTED										GPM		1/month*	GRAB
	PERMIT CONDITION													
	REPORTED													
	PERMIT CONDITION													
	REPORTED													
	PERMIT CONDITION													

NAME OF PRINCIPAL EXECUTIVE OFFICER Caldwell Mike E.
 TITLE Vice President - Engineering
 DATE 04 01 01
LAST FIRST MI YEAR MO DAY

I certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief such information is true, complete, and accurate.

[Signature]
 SIGNATURE OF PRINCIPLE EXECUTIVE OFFICER OR AUTHORIZED AGENT

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 111 1/2, Section 1042. Disclosure of this information is required. Failure to do so may result in a civil penalty up to \$10,000.00 per day of violation or a fine up to \$25,000.00 per day of violation.

printed 10/25/2011 8:50AM by Kelly.Kates.p.4321

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
ILLINOIS SUPPLEMENTAL DISCHARGE MONITORING REPORT
ALTERNATE EFFLUENT STANDARDS

FACILITY NAME Industry Mine
PERMITTEE NAME Freeman United Coal Mining Company
ADDRESS P.O. Box 570
Canton, Illinois 61520-0570

COMMENTS

PHONE (731) 311-1111

IL	IL-0061247	009	1211	41°-16'-52"	90°-43'-16"
ST	PERMIT NUMBER	DIS	SIC	LATITUDE	LONGITUDE

REPORTING QUARTER FROM 05 04 01 TO 05 06 30
YEAR MO DAY YEAR MO DAY

TYPE(S) OF DISCHARGE		Sample #1	Sample #2	Sample #3	#4
Date/Time of Sample		4/7/05 11:00	4/12/05 11:30	5/12/05 15:00	5/30/05 11:00
Date/Time Precipitation Event Started		4/6/05 09:00	4/11 17:00	5/12 08:30	5/29 22:00
Date/Time Precipitation Event Ended		4/6 15:00	4/12 04:00	5/13 06:00	5/30 06:00
Total Precipitation (Inches)		0.3"	1.2"	0.3"	0.25"
Max. Precipitation per 24 Hr. (Inches)		1.2"	2.6"	0.3"	0.75"
DATE/TIME of Follow-up Base Flow Sample required by permit		-	-	-	-
FLOW (GPM)		150	275	150	95
PARAMETER					
SULFATES	Reported	1170	1100	1040	1270
	Permit Condition	1100	1100	1100	1100
CHLORIDES	Reported	11	10	10	12
	Permit Condition	500	500	500	500
ST. UPSTREAM LOW (WILLOW CREEK)	Reported GPM	300	600	200	150
	Permit Condition				

- Types of Discharges
- 1 Alkaline Drainage
 - 2 Reclamation Areas
 - 3 Acid or Ferrous
 - 4 Underground workings at underground mines - not commingled
 - 5 Underground workings at underground mines - commingled
 - 6 Controlled Surface Mine Drainages
 - 7 Non Controlled Surface Mine Drainages
 - 8 Intercept steep slope and mountaintop removal
 - 9 Preparation Plant and Preparation Plant Associated Areas
 - 10 Coal Refuse Disposal Piles

NAME OF PRINCIPAL EXECUTIVE OFFICER	TITLE OF THE OFFICER	DATE
Caldwell Mike E.	Vice President Engineering	05 07 25
LAST FIRST MI	TITLE	YEAR MO DAY

I certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief such information is true, complete, and accurate.

Steve Pifer for MC
SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

Additional Concentrations listed here must be used in the determination of monthly average on standard DMR Form

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 113.1-2, Section 1142. Disclosure of this information is required. Failure to do so may result in a civil penalty up to \$100,000 per day of violation or a fine up to \$25,000.00 per day of violation and imprisonment up to one year. This form has been approved by the Toxic Management Center.

Printed 10/25/2011 8:55AM by Kelly.Kates p. 14/26

Exhibit 6

Illinois Inspectable Units List –EY 2012

This document from the U.S. Department of Interior, Office of Surface Mining lists Illinois coal mines and the mines' operators. The document can be obtained at

<http://www.mcrcc.osmre.gov/MCR/Oversight/Documents/Illinois/12-IL.shtm>.

ILLINOIS INSPECTABLE UNITS LIST

Company Name -(Permittee)	Mine Name	Permit No.	County	Permit Type	Facility Type	Permit Status	MSHA No.	AVS ID	Permitted Acres	Expiration Date
A & G Coal Company	#1	50 Saline		PP	A	A	11-02630	67926	20.9	4/10/1996
Peabody Midwest Mining, LLC	Wildcat Hills WHP	246 Saline		PP	A	IN	11-00625	159035	953	6/4/2001
Wabash Mine Holding Company	Wabash	39 Wabash		PP	B	IN	11-00877	145989	545.9	10/10/2008
Wabash Mine Holding Company	Wabash	158 Wabash		PP	D	IN	11-00877	145989	7.9	7/17/2015
Office of Land Management and Education	Captain	216 Perry		PP	A	A	11-00609	151157	4278.2	5/25/2004
Peabody Arclar Company, LLC	Big Ridge	226 Saline		PP	B	A	11-02879	147068	212.2	9/10/2014
Peabody Midwest Mining, LLC	Cedar Creek	133 Brown		PP	A	IN	11-02815	159035	3036.3	7/31/1999
Peabody Midwest Mining, LLC	Cedar Creek	164 Brown		PP	A	IN	11-02815	159035	102	3/7/1991
Peabody Midwest Mining, LLC	Cedar Creek	214 Brown		PP	A	IN	11-02815	159035	228	1/11/2004
Peabody Midwest Mining, LLC	Cedar Creek	245 Brown		PP	A	IN	11-02815	159035	835.3	4/3/1996
Western Fuels - Illinois, Inc	Liberty	60 Saline		PP	B	IN	11-02636	124325	409.1	11/8/2014
Western Fuels - Illinois, Inc	Liberty	137 Saline		PP	BE	IN	11-02636	124325	154.5	11/8/2014
Consolidation Coal Company	Burning Star #3	71 Randolph		PP	A	A	11-00613	107373	1305	3/27/2005
Consolidation Coal Company	Rend Lake	43 Jefferson		PP	B	IN	11-00601	107373	730.9	1/13/2011
Consolidation Coal Company	Rend Lake	202 Jefferson		PP	D	IN	11-00601	107373	29.6	12/1/2012
Consolidation Coal Company	Wheeler Creek	44 Hamilton		PP	B	A	11-02387	107373	1004	8/10/2006
Cottonwood Coal Company	#1	213 Williamson		PP	A	A	11-02870	89866	60	1/16/2004
Springfield Coal Company, LLC	Buckheart #17	17 Fulton		PP	A	A	11-00594	246649	360	1/1/2010
Springfield Coal Company, LLC	Buckheart #17	18 Fulton		PP	AD	A	11-00594	246649	1090	3/13/2014
Springfield Coal Company, LLC	Buckheart #17	19 Fulton		PP	A	A	11-00594	246649	358	6/20/1993
Springfield Coal Company, LLC	Crown II	4 Macoupin		PP	B	IN	11-02236	246649	584.4	4/26/2014
Springfield Coal Company, LLC	Crown III	5 Macoupin		PP	BCDEFG	A	11-02632	246649	582.9	7/31/2014
Springfield Coal Company, LLC	Fidelity	46 Perry		PP	AL	A	11-00611	246649	2330	4/1/2015
Knight Hawk Coal, LLC	Red Hawk	174 Perry		PP	A	A	11-03045	145192	427	12/21/2011
Springfield Coal Company, LLC	Industry	16 McDonough		PP	A	A	11-02668	246649	2770.8	5/7/2014
Springfield Coal Company, LLC	Industry	180 Schuyler		PP	A	A	11-02668	246649	234	10/27/2011
Springfield Coal Company, LLC	Orient #3	41 Jefferson		PP	BE	IN	11-00600	246649	644.9	11/7/2015
Springfield Coal Company, LLC	Orient #4	40 Williamson		PP	BL	A	11-00628	246649	798.2	3/18/2015

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Springfield Coal Company, LLC	Orient #6	42 Jefferson	PP	B	IN	11-00599	246649	378.7	1/8/2011
Springfield Coal Company, LLC	Orient #6	148 Jefferson	PP	DE	IN	11-00599	246649	159.6	6/17/2015
Springfield Coal Company, LLC	Orient #6	236 Jefferson	PP	D	IN	11-00599	246649	0.2	5/24/2015
Springfield Coal Company, LLC	Orient #6	IL-005 Jefferson	PP	B	IN	11-00599	246649	0	2/23/2013
Coal Carbon, Inc	Slurry #1	143 Perry	PP	A	IN	11-99393	125547	23.8	3/27/2015
Coal Carbon, Inc	Slurry #1	117 Perry	PP	A	IN	11-99393	125547	14.3	4/5/2004
Jader Coal Company, LLC	#4	8 Gallatin	PP	A	A	11-02751	146616	206.1	12/5/2004
Jader Coal Company, LLC	#4	9 Gallatin	PP	A	A	11-02751	146616	2.5	2/14/2000
Jader Coal Company, LLC	#4	11 Gallatin	PP	A	A	11-02751	146616	164.8	7/8/2005
Jader Coal Company, LLC	#4	128 Gallatin	PP	A	A	11-02751	146616	119.2	9/24/1999
Jader Coal Company, LLC	#4	167 Gallatin	PP	A	A	11-02751	146616	140.9	4/9/2006
Jader Coal Company, LLC	#4	172 Gallatin	PP	A	A	11-02751	146616	46	8/26/2006
Jader Coal Company, LLC	#4	192 Gallatin	PP	A	A	11-02751	146616	257.9	9/24/1997
Jader Coal Company, LLC	#4	228 Gallatin	PP	A	A	11-02751	146616	82	12/29/2004
Jader Coal Company, LLC	#4	252 Gallatin	PP	A	A	11-02751	146616	205.3	11/13/2006
The American Coal Company	Galatia	2 Saline	PP	B	A	11-02752	146276	969.1	11/9/2013
The American Coal Company	Galatia	255 Saline	PP	D	A	11-02752	146276	80	9/3/2011
The American Coal Company	Galatia	257 Saline	PP	D	A	11-02752	146276	2.4	12/3/2011
Midland Coal Company	Rapatee	65 Fulton	PP	A	IN	11-02389	67770	778	4/29/1999
Macoupin Energy, LLC	Shay #1	56 Macoupin	PP	B	A	11-00726	248908	781.9	10/23/2013
Macoupin Energy, LLC	Shay #1	209 Macoupin	PP	B	A	11-00726	248908	434.8	7/12/2013
Macoupin Energy, LLC	Shay #1	265 Macoupin	PP	D	A	11-00726	248908	17.9	4/13/2012
Exxonmobil Coal USA, INC	#2	57 Clinton	PP	B	A	11-02371	150726	1029.1	1/9/2005
Exxonmobil Coal USA, INC	#2	183 Daviess	PP	EG	A	11-02371	150726	204	10/16/2006
O'Daniel Trucking Company	#1	186 White	PP	E	A		107518	161.3	1/5/1992
O'Daniel Trucking Company	#1	229 White	PP	E	A		107518	167.3	4/18/2000
LCC Illinois, LLC	#26	12 Franklin	PP	B	A	11-00590	155376	598.2	8/4/2003
Hillside Recreational Lands, LLC	Baldwin	62 Randolph	PP	B	A	11-01008	246663	186.5	5/9/2000
Heritage Coal Company, LLC	Eagle #2	34 Gallatin	PP	B	A	11-00598	247336	587.6	7/30/2005
Hillside Recreational Lands, LLC	Randolph Prep	63 Randolph	PP	CDE	IN	11-01999	246663	2629	7/26/2013
Hillside Recreational Lands, LLC	Randolph Prep	218 Randolph	PP	E	A	11-01999	246663	257	1/30/2014
Hillside Recreational Lands, LLC	TSM	87 St Clair	PP	D	A	11-02656	246663	316.5	6/28/2009
Conservancy Resources, LLC	Universal	115 Edgar	PP	A	A	12-00435	248198	664	6/10/1994
Illinois Coal Mine, LLC	Will Scarlet #14	37 Williamson	PP	A	A	11-00631	157175	1720	11/15/2003

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Russell Minerals West Frankfort, INC	#1	119 Franklin	PP	AL	A	11-02801	67806	223.3	7/31/1995
LCC Illinois, LLC	Classic	240 Williamson	PP	B	A	11-02621	155376	140	9/26/2010
Peabody Arclar Company, LLC	Eagle Valley	127 Saline	PP	B	A	11-02846	147068	157.9	8/23/2009
ICG Illinois, LLC	Viper	3 Logan	PP	B	A	11-02664	155380	658	4/4/2015
ICG Illinois, LLC	Viper	154 Logan	PP	E	A	11-02664	155380	78.3	7/22/2015
White County Coal, LLC	Pattiki	47 White	PP	B	A	11-02662	148222	261	8/20/2011
White County Coal, LLC	Pattiki	116 White	PP	D	A	11-02662	148222	19.5	11/9/2013
Williamson Coal Company	#2	161 Williamson	PP	A	A	11-02783	67998	95.7	11/26/1995
Peabody Coulterville Mining, LLC	Gateway Prep Plant	53 Randolph	PP	CE	A	11-02546	155948	261.4	8/6/2015
Peabody Coulterville Mining, LLC	Gateway Prep Plant	160 Randolph	PP	EG	A	11-02546	155948	191.6	12/16/2015
Peabody Coulterville Mining, LLC	Gateway Prep Plant	225 Randolph	PP	E	A	11-02546	155948	233.5	9/5/2014
Peabody Coulterville Mining, LLC	Gateway	51 Randolph	PP	B	A	11-02408	155948	98.8	8/6/2015
Peabody Coulterville Mining, LLC	Gateway	205 Randolph	PP	D	A	11-02408	155948	20	3/22/2008
Peabody Coulterville Mining, LLC	Gateway	221 Randolph	PP	D	A	11-02408	155948	1.7	1/24/2009
Alpena Vision Resources, LLC	Murdock	21 Douglas	PP	B	A	11-00586	154596	289.5	6/23/2013
Alpena Vision Resources, LLC	Spartan	52 Randolph	PP	B	A	11-00612	154596	244.2	8/6/2015
Springfield Coal Company, LLC	Industry	261 McDonough	PP	A	A	11-02668	246649	1478.5	10/4/2012
Jader Coal Company, LLC	#4	267 Gallatin	PP	A	A	11-02751	146616	163	11/12/2003
Western Fuels - Illinois, INC	Liberty	269 Saline	PP	BE	IN	11-02636	124325	123.8	2/23/2013
Mid-Continental Fuels, INC	#2	275 Williamson	PP	A	IN	11-02942	93509	45.7	7/8/2013
Delta Mine Holding Company	Delta	263 Williamson	PP	A	A	11-00625	146022	515	9/27/2013
Peabody Midwest Mining, LLC	Cedar Creek	272 Schuyler	PP	A	IN	11-02815	159035	1633.6	10/24/2003
Springfield Coal Company, LLC	Crown II	279 Macoupin	PP	BD	IN	11-02236	246649	19	12/8/2013
Consolidation Coal Company	Rend Lake	274 Jefferson	PP	BD	IN	11-00601	107373	65.2	1/2/2014
Wabash Mine Holding Company	Wabash	276 Wabash	PP	BE	IN	11-00877	145989	51.4	6/9/2014
Peabody Arclar Company, LLC	Big Ridge	280 Saline	PP	BE	A	11-02879	147068	33.7	7/25/2004
Western Fuels - Illinois, Inc	Liberty	287 Saline	PP	BD	IN	11-02636	124325	3.2	11/8/2004
Springfield Coal Company, LLC	Orient #6	288 Jefferson	PP	BD	IN	11-00599	246649	9.4	12/11/2014
Illinois Fuel Company, LLC	I - 1	243 Saline	PP	A	A	11-02751	150862	2939.3	1/3/2015
Wabash Mine Holding Company	Wabash	290 Wabash	PP	BD	IN	11-00877	145989	90.5	1/25/2015
Consolidation Coal Company	Rend Lake	281 Jefferson	PP	BE	IN	11-00601	107373	370	4/4/2015
Macoupin Energy, LLC	Shay #1	291 Macoupin	PP	BD	A	11-00726	248908	4.6	3/5/2015
Springfield Coal Company, LLC	Crown III	289 Macoupin	PP	BE	A	11-02632	246649	80	5/4/2015
Peabody Arclar Company, LLC	Wildcat Hills EV PI	294 Gallatin	PP	A	A	11-03017	147068	2074.2	10/29/2012

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O'Daniel Trucking Company	#1	295 White	PP	E	A		107518	168	12/22/2006
The American Coal Company	Galatia	306 Saline	PP	DE	A	11-02752	146276	472	11/19/2012
Springfield Coal Company, LLC	Industry	305 Schuyler	PP	A	A	11-02668	246649	255	10/1/2012
Peabody Arclar Company, LLC	Big Ridge	307 Saline	PP	AB	A	11-02997	147068	217.5	9/1/2007
Springfield Coal Company, LLC	Crown III	311 Macoupin	PP	D	A	11-02632	246649	2.7	9/23/2002
Peabody Midwest Mining, LLC	Cedar Creek	299 Schuyler	PP	A	IN	11-02815	159035	580	10/29/2002
ICG Illinois, LLC	Viper	322 Sangamon	PP	B	A	11-02664	155380	26.5	4/8/2013
Knight Hawk Coal, LLC	Creek Paum	317 Jackson	PP	A	A	11-03020	145192	1951.9	5/17/2013
Macoupin Energy, LLC	#1	302 Macoupin	PP	D	A	11-00726	248908	1	9/11/2011
Springfield Coal Company, LLC	Crown II	320 Macoupin	PP	BE	IN	11-02236	246649	161.3	6/30/2013
Illinois Fuel Company, LLC	I - 1	316 Gallatin	PP	A	IN	11-02751	150862	286.4	2/4/2014
Hillside Recreational Lands, LLC	Randolph Prep	318 Randolph	PP	C	A	11-01999	246643	1236.8	11/17/2013
Illinois Coal Recovery, LLC	Old Ed #1	315 Franklin	PP	AL	A	11-00588	248417	784.5	12/22/2012
Silvercreek Construction Company	Bear	326 Knox	PP	A	A		146258	195	6/15/2004
Illinois Fuel Company, LLC	I - 1	325 Saline	PP	A	A	11-02751	150862	240	8/25/2014
Peabody Arclar Company, LLC	Wildcat Hills CGP	327 Gallatin	PP	AB	A	11-03017	147068	1540.4	9/8/2014
Peabody Arclar Company, LLC	Wildcat Hills CGP	331 Gallatin	PP	A	A	11-03017	147068	2203.8	11/18/2009
Knight Hawk Coal, LLC	Red Hawk	314 Perry	PP	A	A	11-03045	145192	737.1	11/30/2014
Springfield Coal Company, LLC	Industry	334 Schuyler	PP	A	A	11-02668	246649	131	12/7/2009
White County Coal, LLC	Pattiki	335 White	PP	B	A	11-02662	148222	36.8	2/8/2015
Vigo Coal Operating Company, INC	Friendsville	330 Wabash	PP	A	A	11-03064	156249	2750.1	6/11/2015
Springfield Coal Company, LLC	Crown III	340 Macoupin	PP	B	A	11-02632	246649	188	8/14/2015
Peabody Midwest Mining, LLC	Riola VG Portal	342 Vermilion	PP	B	IN	11-03060	159035	413.9	12/19/2015
Peabody Midwest Mining, LLC	Riola	338 Vermilion	PP	BCE	A	11-02971	159035	84.8	3/6/2015
Peabody Arclar Company, LLC	Willow Lake Portal 3	347 Saline	PP	BC	A	11-03054	147068	290.9	2/12/2016
S Coal Company	Cambria #1	304 Williamson	PP	A	A	11-02909	143213	128.6	2/22/2006
Knight Hawk Coal, LLC	Pioneer	349 Perry	PP	A	A	11-03020	145192	171	3/28/2016
Knight Hawk Coal, LLC	Creek Paum	345 Jackson	PP	A	A	11-03020	145192	1095.9	5/31/2011
Springfield Coal Company, LLC	Industry	341 Schuyler	PP	A	A	11-02668	246649	459.2	6/12/2011
Peabody Arclar Company, LLC	Wildcat Hills CGP	348 Saline	PP	A	A	11-03017	147068	690	8/2/2011
The American Coal Company	Galatia	352 Saline	PP	A	A	11-02752	146276	150.7	11/26/2011
Springfield Coal Company, LLC	Crown III	353 Macoupin	PP	BE	A	11-02632	246649	156.4	9/15/2012
Peabody Midwest Mining, LLC	Riola	350 Vermilion	PP	B	A	11-02971	159035	167.7	10/29/2011
Knight Hawk Coal, LLC	Pioneer	356 Perry	PP	A	A	11-03020	145192	574.8	11/12/2013

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Illinois Fuel Company, LLC	I - 1	343 Saline	PP	B	IN	11-03057	150862	19.2	6/9/2012
Springfield Coal Company, LLC	Industry	357 McDonough	PP	A	A	11-02668	246649	493.1	5/4/2013
Capital Resources Development Co, LLC	Liverpool	354 Fulton	PP	A	IN		248436	137.1	12/10/2013
Wabash Mine Holding Company	Wabash	298 Wabash	PP	BD	IN	11-00877	145989	1	8/29/2011
Peabody Arclar Company, LLC	Wildcat Hills CGP	361 Saline	PP	A	A	11-02971	147068	350.4	2/8/2014
Peabody Arclar Company, LLC	Wilcat Hills CGP	365 Saline	PP	A	A	11-02971	147068	380.9	3/2/2014
S Coal Company	Elkville	367 Jackson	PP	A	IN	11-03121	143213	628.6	6/29/2014
Peabody Arclar Company, LLC	Wildcat Hills UG	360 Saline	PP	B	A	12-03156	147068	164.2	8/1/2014
Knight Hawk Coal, LLC	Creek Paum	368 Jackson	PP	A	A	11-03020	145192	346	4/6/2015
Knight Hawk Coal, LLC	Prairie Eagle	372 Perry	PP	B	A	11-03147	145192	1633.5	2/16/2015
Prairie State Generating Company, LLC	Lively Grove	373 Washington	PP	B	A	11-03193	155205	192.8	6/20/2015
Williamson Energy, LLC	Pond Creek 1	375 Williamson	PP	B	A	11-03141	156747	621.2	7/6/2015
Peabody Arclar Company, LLC	Willow Lake	369 Saline	PP	B	A	11-03054	147068	558.8	10/20/2015
Pitco, LLC	#2	363 Saline	PP	CL	A	11-02847	156413	117.3	9/19/2010
Peabody Arclar Company, LLC	Wildcat Hills CGP	370 Gallatin	PP	A	A	11-02971	147068	363.7	8/3/2015
Peabody Arclar Company, LLC	Willow Lake	374 Saline	PP	E	A	11-03054	147068	923.4	4/17/2011
Peabody Arclar Company, LLC	Wildcat Hills CGP	376 Saline	PP	A	A	11-02971	147068	331.1	6/1/2011
Knight Hawk Coal, LLC	Royal Falcon	384 Jackson	PP	B	IN	11-03162	145192	250	10/4/2011
Knight Hawk Coal, LLC	Prairie Eagle	377 Perry	PP	B	A	11-03147	145192	310	7/31/2011
Knight Hawk Coal, LLC	Red Hawk	393 Perry	PP	A	A	11-03045	145192	137.1	12/10/2011
Randolph Land Holding Co, LLC	Jordan Grove	378 Randolph	PP	A	A	11-03210	155742	1063.4	10/29/2012
Vigo Coal Operating Company, INC	Friendsville	395 Wabash	PP	A	A	11-03064	156249	252.7	1/13/2013
Peabody Arclar Company, LLC	Wildcat Hills CGP	397 Saline	PP	A	A	11-02971	147068	83.1	4/8/2013
Peabody Arclar Company, LLC	Wildcat Hills CGP	392 Saline	PP	A	A	11-02971	147068	161.4	9/6/2012
ICG Illinois, LLC	Viper	391 Sangamon	PP	BD	A	11-02664	155380	115	6/30/2013
Sugar Camp Energy, LLC	#1	382 Franklin	PP	B	A	11-03157	157725	1264	8/18/2013
RLF Pawnee Properties, LLC	Pawnee	405 Christian	PP	A	IN	11-00585	247569	528.3	8/26/2013
White County Coal, LLC	Pattiki	389 White	PP	BE	A	11-02662	148222	154.3	11/15/2012
Hillsboro Energy, LLC	Deer Run	399 Montgomery	PP	A	A	11-03182	246728	823	2/10/2014
Knight Hawk Coal, LLC	Creek Paum	398 Jackson	IP	A	A	11-03020	145192	447.9	9/22/2013
S I Energy, LLC	#25	408 Franklin	PP	AE	A	11-03207	247765	415.8	9/11/2013
Knight Hawk Coal, LLC	Red Hawk	400 Jackson	PP	A	A	11-03045	145192	218	6/14/2014
Peabody Arclar Company, LLC	Wildcat Hills CGP	403 Saline	PP	A	A	11-02971	147068	895.1	8/26/2014
Eagle River Coal, LLC	#1	381 Saline	PP	A	A	11-03212	249205	227	12/17/2014

UNITS REMOVED FROM INSPECTABLE UNITS LIST

Company Name -(Permittee)	Mine Name	Permit No.	County	Permit Type	Facility Type	Permit Status	MSHA No.	AVS ID	Permitted Acres	Expiration Date
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Permit Type

PP = Permanent Program
IP = Interim Program

Facility Type

A = Surface
B = Underground
C = Preparation Plant
D = Ancillary

E = Refuse/Impoundment

F = Loading Facility/Tipple

G = Stockpiles

H = Exploration Permits

I = Notice of Intent to Explore

J = Exempt 16 and 2/3

K = Gov't Financed Construction Exempt

L = Remining

Permit Status

A = Active

AB = Abandoned

AB1 = Bond Forfeiture

AB2 = Partially Reclaimed Forfeiture

AB3 = Reclaimed Forfeiture

BR = Bond Release

IN = Inactive

NA = Not Applicable

Exhibit 7

Illinois Coal Competitiveness Grants by Grantee

Illinois Coal Competitiveness Grants by Grantee

<i>Company</i>		<i>Grant Amount</i>	<i>Total Cost</i>
<i>Grant No.</i>	<i>Project Title</i>		
Alcoa Fuels, Inc.		\$482,400	\$2,611,900
06-483001	Raw Coal Handling System The raw coal handling system will consist of a raw coal hopper, rotary breaker, conveyors and maintenance shop.	\$482,400	\$2,611,900
Ameren Energy Generating, Meredosia Station		\$850,000	\$16,125,000
02-48303	Coffeen Power Station Fueling System Upgrade Ameren Energy Generating submits this application for Coal System Modifications to improve the station's ability to continue to utilize Illinois coal. This process will allow the Coffeen Station to meet SOx standards and at the same time continue to use Illinois coal. The project will provide for equipment to be installed that will crush coal finer and provide dust containment, fire-protection and cleanup facilities that will protect both the plant and personnel.	\$850,000	\$16,125,000
AmerenEnergy Resources Generating		\$4,000,000	\$163,000,000
08-483002	Install Wet Flue Gas Desulfurization System at Ameren's Duck Creek Power Station AmerenEnergy will replace the existing wet flue gas desulfurization system at its Duck Creek Electric Generation Station in Canton, Illinois. In return for state incentives, Ameren has agreed to purchase 9 million tons of coal over the next eleven-year period.	\$4,000,000	\$163,000,000
American Coal Company		\$9,100,359	\$77,835,163
98-48307	Installation of a Truck Loadout at the Galatia Coal Preparation Plant Kerr-McGee Coal Corp. has identified a truck coal market for Galatia Mine coal. The Galatia market will exceed 300,000 tons annually, but requires the addition of a truck loadout at the Preparation Plant.	\$120,000	\$600,000
98-48308	Expansion of the Coal Refuse Disposal Facility at the Galatia Mine The Galatia Mine Coal Refuse Disposal Facility capacity will be exhausted in 1998. An expansion of the facility is necessary in order for the mine to continue to operate. An expansion is planned in 1998.	\$200,000	\$1,000,000
98-48309	Installation of a Stoker Circuit at the Galatia Mine Coal Preparation Plant Kerr-McGee Coal Corp. has identified a stoker coal market for Galatia Mine Coal. The Galatia market will exceed 300,000 tons annually, but requires the addition of a stoker circuit in the Preparation Plant.	\$150,000	\$800,000
99-48331	No. 5 Slope Conveyor Capacity Expansion at the Galatia Mine Increases raw coal carrying capacity of the No. 5 Slope Conveyor and associated surface conveyors.	\$430,000	\$2,152,189
99-48338	Raw Coal Storage Capacity Expansion at the Galatia Mine Construction of an additional raw coal stockpile and reclaim system to expand the limited storage capacity of the raw coal silos.	\$600,000	\$3,000,000
00-48303	Construction of a Channel Crossing for Access to Adjacent Reserves Construction of underground mine entries across a massive rock deposit that represents an ancient stream channel to allow expansion of the Galatia Mine into a new reserve area. MODIFIED -- overland conveyor	\$900,000	\$6,250,000

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Company

<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
01-48308	Construction of Portal Facilities - Galatia Mine American Coal will construct new portal facilities to provide access for personnel and materials to develop a new reserve, extending the life of the mine.	\$950,000	\$4,984,000
02-48304	Development of Hamilton County Reserve This project involves various tasks to develop the reserve in preparation for full-scale longwall mining once the Galatia North Reserve is mined out in 2003. Tasks are to construct ventilation shafts, service boreholes, extend underground infrastructure, conveyors, pipelines, power and communications.	\$900,000	\$9,150,000
03-48304	Galatia Mine Longwall Equipment Upgrade Project involves the purchase of new longwall roof support shields to ensure reliability and productivity from longwall mining units. This upgrade will allow the mine to achieve production levels necessary to fulfill coal sale contracts.	\$900,000	\$15,003,500
04-48301	Millennium Portal Fuel/Lube Facility Project encompasses surface installation of an 8,000-gallon hydraulic tank and an 8,000-gallon diesel fuel tank, two separate boreholes drilled into ground to serve an underground fueling station.	\$25,837	\$133,186
04-48302	Galatia North 10th West Bleeder Shaft Construction of a ventilation shaft and fan to provide proper ventilation for four longwall panels.	\$292,765	\$1,563,823
04-48303	Galatia North fuel Lube Facility and Rockdust Borehole This project encompasses drilling a new rockdust borehole and relocating a bulk rockdust tank. The fuel lube facility involves putting in an underground 8000-gallon hydraulic tank, 8000-gallon diesel fuel tank and an underground refueling station.	\$37,957	\$191,786
04-48304	Mine Extension: Millennium Portal #3NW Drive and North Submain To facilitate continued expansion into the coal reserves, it is necessary to add supplementary belt drives. This project involves the purchase of two 72-inch wide belt drives and electrics.	\$70,600	\$708,500
04-48305	Equipment Replacement/Rebuild: Feeder and Diesel Roof Bolter A rebuild and a conversion are the framework of this project. The rebuild involves a feeder, which is utilized on the working section to dump coal onto the conveyor belt. An electric roof bolter will be converted to diesel power to be used in areas where electricity is not available.	\$20,500	\$206,500
04-48306	Longwall Shield Rebuild The project calls for rebuilding seven longwall roof support shields to ensure reliability and productivity from the longwall mining unit.	\$32,500	\$329,800
04-48307	Slurry Injection Project Waste fines removed from cleaning plant will be pumped through a pipeline and injected into open room and pillar panels at the Galatia Mine. Injection wells will be drilled and pumps installed to water recovery wells for water re-circulation.	\$135,400	\$809,000
05-48302	Galatia Mine No.6 Seam Expansion (Tasks 1-5, 10, 11) Plans are to add a third coal source, the # 6 seam. To facilitate the expansion, mine will be required to add new and rebuilt mining equipment, belt drives, belt structure, slope repairs, a new surface coal separation facility, water supply, dewatering system, and additional prep plant capacity.	\$950,000	\$7,943,500
05-48327	Galatia Mine No.6 Seam Expansion (Tasks 6-11) Plans are to add a third coal source, the # 6 seam. To facilitate the expansion, mine will be required to add new and rebuilt mining equipment, belt drives, belt structure, slope repairs, a new surface coal separation facility, water supply, dewatering system, and additional prep plant capacity.	\$873,800	\$5,891,500

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Company

Grant No.	Project Title	Grant Amount	Total Cost
06-483002	Six Seam Longwall Expansion Project to purchase a stageloader, face conveyor, seam shearer, longwall drive and a longwall booster drive.	\$611,000	\$6,110,879
07-483016	Galatia North - Flannigan Portal, Phase 1 Galatia North is expanding into a new reserve block. To access the new reserves, a new slope will be constructed. Portal will constructed in 2 phases. Phase 1 includes site preparation, establishing power and installing a man /material shaft and hoist.	\$900,000	\$11,007,000
American Electric Power Service Corporation		\$634,000	\$3,304,940
98-48311	Illinois Basin Access Track Improvement Project Project will complete rail infrastructure improvements along the access track to Cook Coal Terminal. Improvements will increase terminal productivity, expand capacity of transloading Illinois Basin coal and increase domestic and export opportunities.	\$250,000	\$1,199,918
99-48305	Illinois Basin Coal Blending Sample System This project involves the construction of a ASTM certified sample system to test the final product delivered from the blending facility	\$80,000	\$412,162
99-48332	Illinois Basin Positioning Track Improvement Project This project involves construction of 460' of track and two switches, purchase of a locomotive and two specialized cars for positioning railcars in an automatic dumper.	\$24,000	\$277,000
99-48333	Illinois Basin Access Track Improvement Project (Phase II) This project involves the completion of rail infrastructure improvements along the access track to Cook Coal Terminal from the Burlington Northern Santa Fe main line railroad. Completion of the improvements will increase terminal productivity and expand the capacity of transloading Illinois Basin coal for increased domestic and export opportunities.	\$280,000	\$1,415,860
Apogee Coal Company dba Arch of Illinois		\$280,000	\$743,400
97-48118	Perry County - 400 MW Mine Mouth Power Generating Facility Feasibility Study Arch will assess the feasibility of a 400MW mine mouth power plant at its Captain mine. Infrastructure work will assess coal and ash handling systems, on-site water resources, coal transfer needs and road and rail access.	\$230,000	\$500,000
99-48309	Improvements to Mine Spur Grade Crossings - Arch of Illinois Replacement of two crossings and upgrading of existing signaling for mine spurs servicing the Arch of Illinois mining complex.	\$50,000	\$243,400
Arclar Company		\$885,000	\$4,422,800
00-48304	Arclar, Big Ridge Mine. Central Coal Preparation Plant No. 2 -- Equipment Procurement Arclar proposes to construct a new central preparation plant for the purpose of replacing outdated equipment, increasing capacity by 33%, increasing coal recovery utilizing new technology, and reducing production costs on a per ton basis to remain competitive in the present day marketplace into the 21st Century.	\$885,000	\$4,422,800
Arclar Company, L.L.C.		\$4,090,000	\$36,031,750
97-48111	Arclar Company Coal Loading Dock Construction Arclar will build a loading dock in Shawneetown to reduce the truck haul that it must presently make to an independent dock operator in Cave in Rock. The reduction in truck transportation is expected to reduce the delivered cost of Arclar coal.	\$320,000	\$1,600,000

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Company

<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
98-48321	Truck Route Improvement for Arclar Company - Big Ridge Mine Arclar will upgrade two sections of road serving its Big Ridge Mine to IDOT truck route standards.	\$170,000	\$840,000
99-48340	Raw Coal Conveying System, Big Ridge Mine Arclar will construct 6 miles of underground conveying system form the new portal to its coal prep plant.	\$900,000	\$11,104,750
01-48309	Portal No. 3 Facilities - Willow Lake Mine Arclar will construct a new portal area accessing new reserves, including installing a slope, two airshafts, transmission lines, a substation and conveyor trusses.	\$990,000	\$7,230,000
01-48310	Construction of Bathhouse - Willow Lake Mine Arclar Company will construct a new portal area accessing new reserves including installation of a bathhouse.	\$160,000	\$960,000
02-48306	Arclar Company, LLC Willow Lake Mining Complex Arclar is constructing a new mining complex accessing new reserves and decreasing distribution cost. The project consists of installing underground mining equipment to supply coal contract requirements.	\$600,000	\$5,397,000
02-48337	Underground Mining Equipment Purchase equipment to operate an underground mine. All new equipment must be replaced due to an explosion and fire at the mining complex. A total of 12 shuttle cars and 8 continuous miners are needed to put Arclar back into production.	\$950,000	\$8,900,000
Arclar Company, LLC		\$5,488,120	\$55,368,328
00-48324	Heavy Media Vessel Installation Replace existing Jeffrey Jig with Daniel's Heavy Media Vessel in order to optimize recovery of salable coal that is presently being discarded to refuse. CHANGED -- Wildcat Hills haul road and creek crossing	\$154,000	\$770,000
00-48325	Cottage Grove Mine/Pit Expansion The Cottage Grove Mine/Pit will add additional coal handling and preparation facilities for the Wildcat Hills Mine. This facility will extend the reserves for the Wildcat Hills Mine and create approximately 110 mine related jobs. MODIFIED -- Cottage Grove haul road and creek crossing	\$800,000	\$8,031,900
03-48305	Expansion of Willow Lake Mine Complex Mining Facilities Arclar, LLC intends to open a new strip mine and build a clean coal preparation plant.	\$935,000	\$12,085,000
04-48336	Willow Lake Complex Support Expansion Project consists of replacement and upgrading of old equipment that will position the mine to be more competitive and efficient through the increasing of production.	\$526,000	\$5,261,900
05-48303	Rail Loadout Facility - Phase I Improvements (Tasks 1, 2 &3) Project calls for construction of 1/2 mile access road, a rail loadout facility capable of loading 100+ car trains and some rail construction and refurbishing.	\$620,000	\$3,109,525
06-483003	Prep Plant Flotation Circuitry and Elevator Project Installation of a flotation circuit inside the current prep plant and install an elevator to access all floors so men and material can be moved safely.	\$673,120	\$3,365,600
06-483004	Wildcat Hills Underground Pit #1 Development Development of an underground mine with 2 working units. Project will prepare the surface, including dirt work; installing a ventilation fan, construction of a substation, transmission line, water line, belt drives, belt lines, sumps and a bathhouse.	\$900,000	\$15,723,947

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Company

Grant No.	Project Title	Grant Amount	Total Cost
07-483002	Willow Lake Mine Safety Project (Task 1) Arclar will purchase mandatory safety equipment needed for compliance with new Illinois and Mine Safety Health Administration regulations.	\$360,000	\$1,797,456
07-483003	Willow Lake Mine Infrastructure Project (Tasks 2 & 3) Arclar will make improvements necessary to access new reserves west of the existing mine works. Tasks include rebuilding underground mining equipment, installing new belt drives and purchasing a new battery scoop.	\$520,000	\$5,223,000
Ashford Industries, Inc.		\$46,000	\$230,000
01-48307	Asphalt Plant Coal Burner Purchasing and installing a coal mill and burner at our asphalt plant in Fairmount, IL. This coal burner is to replace our existing propane burner.	\$46,000	\$230,000
Baldwin Energy, Inc.		\$250,000	\$5,000,000
09-483022	CO2 Capture and Sequestration Feasibility Study for Chicago Clean Energy Coal Gasification-to-SNG Project Project will analyze the feasibility and cost of CO2 control strategies applicable to the coal-to-SNG plant proposed for Calumet, including engineering, routes and right-of-ways for: a) geologic sequestration within a nearby deep saline aquifer, and b) enhanced oil recovery opportunities.	\$250,000	\$5,000,000
Barlow Projects Illinois, LLC		\$3,350,000	\$11,517,638
04-48326	SIU-Carbondale Campus Unit #2 Boiler Combustion Grate Retrofit Retrofit existing plant utilizing the Aireal combustion grate technology using SOLIOS emission control system. Several components will need to be replaced and upgraded to allow for the new technology to be implemented.	\$3,350,000	\$11,517,638
Black Beauty Coal Company		\$4,429,500	\$30,351,788
00-48305	Improvements to Riola Mine Coal Facilities Riola Mine desires to purchase components that will upgrade efficiencies at our surface coal preparation facility.	\$700,000	\$1,000,000
01-48311	Rail spur and rail loading facility - Riola Mine Black Beauty will develop a rail spur and rail loading facility to provide service into and loading capabilities at the existing Riola Mine complex.	\$800,000	\$6,660,000
02-48307	Riola Mine Complex Equipment Upgrade Black Beauty will install a crusher, a large surge bin to reduce re-handling of raw coal, pave access roads, add concrete pads at stockpiles, replace belt press, add screen bowl at prep. Plant, upgrade VC-48 dryer to VC-50 model, purchase small truck to transport coal to 10MW power plant to be built on site.	\$260,000	\$3,156,935
03-48306	Riola Complex -- Equipment Upgrade Changes in federal law, MSHA Diesel regulations, mining conditions warrant equipment upgrades and additional equipment to continue mining. At the same time, roof conditions need improving and an air-conditioner will be placed underground, as well.	\$687,000	\$4,184,853
04-48308	Riola Mine Complex -- Overall Mine Upgrades Project involves expanding existing coal preparation reject areas, upgrading coal preparation plant, coal recovery and loading facilities, and updating existing mine equipment.	\$510,000	\$3,690,000

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Company

<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
04-48327	Wildcat Hills Mine -- Pits 1N, 3 and 5 Development Plans to develop 3 new pits in the #6 coal seam. Coal to be delivered to the adjacent Willow Lake preparation facility for processing. Coal will be available to supplement existing and new markets.	\$650,000	\$4,210,000
05-48316	Riola Mine Complex Mining Equipment Upgrade Project allows for expansion and updating existing mine equipment.	\$656,000	\$6,560,000
05-48317	Prep Plant Upgrade Expand the refuse disposal area to allow for additional production, preparation and storage requirements of the refuse. Also, install ash analyzer/conveyor system to separate low ash run of mine product to increase coal sales at the Vermillion Grove portal.	\$95,000	\$475,000
07-483004	Mine Rescue Team Equipment Project will consist of purchasing mine rescue attire and equipment for two teams (12 people total). In addition, a vehicle with trailer to carry two teams to training and competitions will be acquired.	\$60,000	\$300,000
07-483017	Preparation Plant Upgrade Project consists of installing a backup system for the preparation plant water supply and upgrading the raw coal crusher electrical circuits.	\$11,500	\$115,000
<i>Black Hills Mining, LLC</i>		<i>\$950,000</i>	<i>\$11,553,250</i>
03-48302	Wildcat Hills Underground Entry Black Hills Mining Co. is proposing a 2-unit underground mine that would be located in the Wildcat Hills Mine. Black Hills will install a high-wall entry, underground equipment and support facilities to contract mine coal to be delivered to the adjacent Willow Lake Preparation Plant.	\$950,000	\$11,553,250
<i>Board of Trustees of Eastern Illinois University</i>		<i>\$1,099,000</i>	<i>\$1,203,116</i>
98-48323	EIU Phase III: Coal Handling and Wet Scrubber Upgrades Project will upgrade coal dump area, coal handling conveyor system, dust collection system, scrubber bypass duct, scrubber tank and vessel upgrades, and stoker boiler outlet damper replacement.	\$900,000	\$923,500
99-48347	EIU Deaerator Replacement Project will remove and replace the steam plant deaerator.	\$100,000	\$180,616
00-48327	Renovation of Brick Chimney Sandblast interior chimney surfaces, install gunite liner, grind and tuck point exterior mortar joints, glush groves in joints, install new mortar, respect, secure and reseal metal tension bands, sandblast and paint clean-out door at bottom of chimney, clean debris from bottom of chimney, and repair lightning protection of the brick chimney serving their coal boilers.	\$99,000	\$99,000
<i>Board of Trustees of the University of Illinois</i>		<i>\$832,913</i>	<i>\$1,382,578</i>
01-48333	Delineation of the Coalbed Methane Resources of Illinois The Illinois State Geological Survey will assess and map critical factors that affect CBM economics and producibility in Illinois and apply experience gained recently in other, previously under-produced coal-bearing basins such as the Powder River Basin, Wyoming.	\$302,913	\$542,578

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Company

Grant No.	Project Title	Grant Amount	Total Cost
03-48336	Assessment of the Coalbed Methane of Illinois The ISGS will conduct drilling to assess the coalbed methane resources for quantity, permeability and production. Project will result in five coalbed methane well put into commercial operation.	\$290,000	\$600,000
09-483026	ISGS Computer Expansion in Support of Carbon Capture And Storage, and Clean Coal Research Labor & materials to purchase and expand computer storage capabilities and purchase and install wiring panels and associated hardware and wiring to upgrade a portion of the computer network infrastructure in the Natural Resources Building in support of coal research & carbon sequestration.	\$240,000	\$240,000
Brushy Creek Coal Co.		\$1,137,000	\$5,172,749
98-48312	Mine-Site Preparation Facilities & Train Load Out Facilities Brushy Creek Coal will modernize and repair the train loadout, rotary breaker and preparation plant facilities at the Brushy Creek Mine.	\$535,000	\$2,649,229
98-48313	Automated Truck Scales at the Brushy Creek Mine Brushy Creek Coal will modernize its truck weight station by installing automated readout and interface equipment. This will allow a truck to weigh in loaded or unloaded without the driver leaving his truck.	\$2,000	\$8,520
99-48327	Surface Infrastructure & Coal Reserves Modify, rebuild and replace vibrators, chutes, piping and 2 pumps in the preparation plant. Initiate reclamation of cells 1 & 2.	\$300,000	\$1,615,000
99-48328	Underground Coal Extraction Equipment Complete rebuild on one of four continuous miners utilized in the underground operation.	\$300,000	\$900,000
Burpee Museum Association		\$91,500	\$365,000
01-48341	The Burpee Museum of Natural History / Completion of Geology Permanent Exhibit Completion of Illinois Geology, Regional and World Geology permanent exhibit. The project will include a history and description of the coal mining industry in state and local areas. The emphasis will be concentrate on coal mined from Pennsylvania underlying two-thirds of Illinois.	\$91,500	\$365,000
Carbon Recovery Associates		\$135,000	\$338,500
99-48341	Floatex Coal & Sand Separation Carbon Recovery will repair and upgrade equipment used to clean the sand and clays out of the coal. The equipment will be relocated from Consol #3 mine to Consol #2 mine and restart operations.	\$135,000	\$338,500
Catlin Coal Co., Inc.		\$200,000	\$400,000
99-48345	New Equipment for Riola Mine Purchase higher productivity equipment to improve the mine's operating efficiencies.	\$200,000	\$400,000
Central Illinois Energy		\$750,000	\$20,000,000
03-48324	Waste Coal Co-Generation Facility for Ethanol Plant Project will build a 30 million gallon per year ethanol plant in Illinois. This project will provide steam and electric requirements at an economical price and use waste coal in producing a clean, renewable fuel.	\$750,000	\$20,000,000

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<i>Company</i>	<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
Central Illinois Light Company			\$83,887	\$225,000
	01-48338	Phenix Retrofit Project This study would show the feasibility of retrofitting an existing power plant to be able to continue burning Illinois coal while significantly reducing sulfur and nitrous oxide emissions to required standards.	\$83,887	\$225,000
City of Marion			\$300,000	\$2,406,050
	06-483023	Field Demonstration of Concrete Composites Made with Illinois CCBs in Construction of Sothern Illinois Ballpark Project to utilize fly ash with concrete composites in the construction of a baseball complex in southern Illinois.	\$300,000	\$2,406,050
City of Springfield, Dept. of Public Utilities (City Water, Light, and			\$1,320,200	\$17,267,715
	00-48308	Lakeside Limestone Blending This project involves the installation of a system to blend powered limestone as a fluxing agent with Illinois medium sulfur coal.	\$80,410	\$402,050
	00-48309	Coal Handling System and Precipitator Improvements (Priority 1) This project involves the replacement of hopper grating, upgrading the coal handling control system, adding an inverter feed to the coal handling system, replacement of deteriorated conveyor foundations, removal of lead based paint from support and repainting, upgrading the precipitator transformer-rectifier sets and optimizing the precipitator controls.	\$241,000	\$1,205,000
	04-48328	Coal Handling System Upgrades at Dallman Generating Station Upgrades to the coal handling system include structural steel and concrete work, coal feeder components, coal chute liners, vacuum piping, electrical work, belt conveyor components including major pulleys, drive chains, access doors, belt scrappers and moisture sensors.	\$198,790	\$993,948
	08-483005	Dallman Unit 4 - Use of Wet ESP for Acid Mist Control on a Pulverized Coal Fired Boiler Project will employ a wet electrostatic precipitator to remove acid mist and fine particulate from the flue gas of a high sulfur pulverized coal-fired boiler. The plant will include the installation of low NOx burners and selective catalytic reduction for oxides of nitrogen control, flue gas desulfurization for sulfur dioxide control, and a pulse jet fabric filter for particulate capture.	\$800,000	\$14,666,717
Coaltec Energy USA, Inc.			\$330,000	\$670,000
	04-48309	Low Profile Battery Shuttle Car Demonstration in a Illinois Coal Mine The project will allow a Illinois coal mine to add a battery-powered shuttle car to their fleet. Performance of the car will be closely monitored to show that a lower-profile machine will provide the same benefits for Illinois coal seams.	\$330,000	\$670,000
Coles Together			\$677,050	\$677,050
	08-483014	FutureGen Illinois Site 2D Seismic Project A 2D seismic analysis will be conducted to verify that the selected site at Mattoon, Illinois, and the Mt. Simon formation in particular, has adequate geologic character to sequester carbon dioxide from the proposed FutureGen facility.	\$677,050	\$677,050

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<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
Conserve Energy Systems, Inc.		\$37,500	\$75,000
01-48339	Centralia Coal Energy Plant Feasibility Study Conserve Energy Systems proposes to engage the services of Burns & McDonald Inc. to conduct a feasibility study for the construction of a 200 megawatt capacity fluidized - bed coal fired power plant in Centralia area	\$12,500	\$25,000
02-48308	Centralia Coal Energy Plant Assessment Studies Conserve Energy proposes to engage the services of Hard Money Solutions and Illinois Power Co. to conduct a financial and interconnect studies relating to the construction of a 200-400 MW fluidized-bed coal power plant in Centralia, IL.	\$25,000	\$50,000
Consolidated Grain and Barge Company		\$830,000	\$9,300,885
98-48317	Ground Storage and Blending Facility for Coal Construction of a coal ground storage system w/the capability of blending different varieties of coal. Project will at ground storage, blending and reclaim-to-barge capabilities to the existing rail to barge transfer system.	\$80,000	\$400,000
09-483008	New Coal Rail to Barge System Increase railcar unloading and barge loading capacity at the existing CGB bulk terminal in Mound City, Alexander County. The company has plans to increase its workforce by 20 people and expand handling of coal delivered by the Canadian National Railway from Illinois mines served by the CN. CGB will build a new coal dock for barge loading, a coal storage pile and an additional railcar receiving pit. This project will serve as an initial investment in adding value to Illinois coal for export via and Mississippi River and Port of New Orleans.	\$750,000	\$8,900,885
Consolidation Coal Company		\$3,114,600	\$15,917,000
98-48310	Rend Lake Preparation Plant Infrastructure Upgrade Installation of truck load-out, prep. plant oversight control system, and thermal dryer performance enhancements.	\$400,000	\$1,743,000
99-48312	Rend Lake Mine - Sealing Surface Oil and Gas Wells to Allow Mining of Coal Reserves Two surface oil and gas wells must be sealed to allow mining coal reserves	\$20,000	\$100,000
99-48313	Rend Lake Preparation Plant - Railroad Spur Upgrade Replace 12,000 feet of rail line connecting preparation plant with main lines	\$40,000	\$204,000
99-48314	Rend Lake Mine - Sealing Underwater Oil and Gas Wells to Allow Mining of Coal Reserves Thirteen oil and gas wells are proposed to be sealed under Rend Lake	\$300,000	\$2,015,000
99-48315	Rend Lake Mine - Slurry Impoundment Expansion Perform site development work for slurry pond enlargement	\$360,000	\$1,800,000
99-48344	Rend Lake Mine - Increasing Conveyor Capacity Consol will increase the Rend Lake Mine's east longwall production capacity and increase the width of two section conveyor belts from 48 inch to 54 inches.	\$294,000	\$1,470,000
00-48306	Rend Lake Mine - Longwall Face Expansion To increase the mine's east longwall capacity and reduce future development costs, expand the width of the longwall mining system from 750 to 980 feet.	\$900,000	\$4,582,000
01-48313	North Belt Upgrade - Rend Lake Mine Consol will install a new north main conveyor belt to replace an old existing section of main conveyor.	\$216,000	\$1,080,000

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Grant No.	Project Title	Grant Amount	Total Cost
01-48314	Main Conveyor Belt Upgrade -- Part I Upgrade and increase the capacity of the main conveyor belt system by installing variable frequency drives, larger motors and heavier belting on the North, 2 East 1, 2 East 2 and 2 East 3 Sections.	\$440,000	\$2,200,000
01-48315	Main Conveyor Belt Upgrade -- Part I Upgrade and increase the capacity of the main conveyor belt system by installing variable frequency drives, larger motors and heavier belting on the 2 East 4 and Nason 1 Sections.	\$144,600	\$723,000
Corn Belt Energy Corporation		\$102,000	\$510,000
01-48316	Ground Water Supply - Elkhart LEBS Project The Low Emission Boiler System power plant requires demonstration of sufficient good quality ground water. This project will allow design work to be completed through the siting and drilling of test wells, determining the capacity of an underground aquifer, and drilling of permanent wells.	\$70,000	\$350,000
02-48310	Retention Pond LEBS project will construct a retention pond to provide water for the power plant. The retention pond will be the primary source of make up water to the cooling tower. This retention pond will function to simplify water management and also allow the plant to continue operations without substantially impacting the local community.	\$32,000	\$160,000
Corn Products International, Inc.		\$6,000,000	\$99,527,000
03-48338	Corn Products Argo Plant Coal Boiler -- Phase I Corn Products International, Inc. will design, engineer and construct a new Circulating Fuel Bed Coal Boiler at the Argo, Illinois Plant to replace existing Coal Boilers. Phase I of the project includes initial engineering and construction management for the new boiler and improvements to the existing coal handling facilities.	\$2,234,557	\$11,527,000
04-48329	Corn Products Argo Plant Coal Boiler -- Phase 2 Corn Products International, Inc. will design, engineer and construct a new Circulating Fuel Bed Coal Boiler at the Argo, Illinois Plant to replace existing coal boilers. Phase 2 of the project includes construction and startup of the new boiler and improvements to the existing coal handling facilities.	\$3,765,443	\$88,000,000
Coulterville Coal Company		\$1,231,945	\$11,753,981
06-483005	Gateway Mine Startup - Phase 1 Mine needs to purchase in 14 battery ramcars to gear up its mining operations and fully open and operate the mine.	\$667,560	\$6,675,600
07-483018	Gateway Mine Upgrade Gateway will upgrade several pieces of equipment that were previously not upgraded when the mine reopened in 2005.	\$429,000	\$4,291,888
07-483019	Gateway Mine Safety Equipment The project will allow for the purchase of safety equipment needed to operate the mine. Self contained self rescuers, life lines for men to follow out of the mine in case an emergency, rescue chambers, a second communication system, and a cache to haul equipment underground are to be purchased.	\$135,385	\$786,493

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<i>Company</i>	<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
<i>DBT America</i>			<i>\$321,000</i>	<i>\$1,605,000</i>
	06-483019	DBT Plant Expansion DBT, a major manufacturer and rebuilder of mining equipment, will complete a 7000 square foot expansion of its existing Illinois repair shop allowing the company to grow its services to the local coal industry.	\$321,000	\$1,605,000
<i>Denbury Operating Company</i>			<i>\$321,000</i>	<i>\$1,605,900</i>
	09-483021	Denbury Resources Primary Routing of CO2 Pipeline from southern Illinois and Indiana to Tinsley, Mississippi Applicant proposes to construct a 24" CO2 pipeline originating in southern Illinois connecting to their existing infrastructure at the Tinsley, MS facility. This request is for a study to determine the route and preliminary engineering.	\$321,000	\$1,605,900
<i>Dry Systems Technologies</i>			<i>\$101,000</i>	<i>\$505,000</i>
	04-48310	2004 Exhaust Particulate Filter Manufacturing Equipment Dry Systems proposes to add equipment and design modifications to its facility to help expand and improve productivity while lowering operating costs from current levels. Dry systems' manufactures and markets exhaust after-treatment systems for diesel engines for the world-wide coal mining industry.	\$21,000	\$105,000
	07-483029	2007 Building Project Applicant will build two buildings 1) a fabrication and painting facility for mining equipment rebuilds. The other will house equipment wash facility and laboratory for dynamometer testing.	\$80,000	\$400,000
<i>DTE PepTec, Inc.</i>			<i>\$750,000</i>	<i>\$5,000,000</i>
	03-48303	DTE PepTec Fine Coal Recovery Plant DTE will design, engineer, construct and operate a fine coal recovery plant utilizing the patented DTE PepTec technology. Total clean fine coal output will be approximately 500,000 tons per year. The plant is expected to operate for 20 years.	\$750,000	\$5,000,000
<i>Dynegy Midwest Generation, Inc.</i>			<i>\$282,000</i>	<i>\$7,540,030</i>
	02-48311	Update Handling Facility - Havana Coal Dock Improvements will be made to the coal handling facility to increase the capacity of the dock to handle the shipping of third party Illinois coal.	\$250,000	\$7,380,000
	03-48307	Vermillion Power Station Ashworth Combustor Project Dynegy will conduct an engineering and design analysis to discern the economic and engineering impact of retrofitting Vermillion unit #2 with a ClearStack Combustion "Ashworth Combustor."	\$32,000	\$160,030
<i>Electric Power Research Institute</i>			<i>\$150,000</i>	<i>\$613,893</i>
	03-48313	The Relative Contribution of Coal Combustion to Air Quality and Health Impacts The study will augment current EPA-supported air quality monitoring efforts at the St. Louis Supersite through greater speciation of organic and metallic fractions of PM. The study will provide information regarding the health effects of coal combustion emissions and other sources.	\$150,000	\$613,893

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EnviroPower-	Franklin County Power of IL		\$500,000	\$3,100,000
	02-48341	Franklin County Power Project - Development Phase EnviroPower is developing a 555 MW electric generating station in Franklin County south of Rend Lake. Site control, fuel supplies, and air permits have been obtained for the project. Project activities in this phase of development will include preliminary plant design and engineering, site clearing and preparation. Road and rail sites to be included in preparation work as well as other relevant activities.	\$500,000	\$3,100,000
ExxonMobil Coal USA Inc			\$6,148,720	\$36,095,200
	99-48316	Coal Recovery Improvement Project Modify preparation plant process with addition of a froth flotation circuit or alternative process improvement, which will permit recovery of additional fine coal currently being discarded in the refuse slurry stream.	\$320,000	\$1,600,000
	99-48326	Rail Loop Repairs and Upgrades The unit train rail loop owned by Monterey Coal Company, servicing No. 1 Mine, is in need of repair and minor upgrading.	\$20,000	\$100,000
	99-48339	Truck Loadout Project A separate truck loadout facility would allow Monterey to maintain competitiveness, while delivering several economic benefits to the state.	\$50,000	\$2,000,000
	00-48311	Longwall Equipment Improvement Project (Priority 1) Project to upgrade/rebuild longwall mining equipment, to ensure reliability for mining of full longwall panel. Specifically, the coal shearer and armored face conveyor components must be upgraded/rebuilt to provide highly reliable operation, to ensure minimal production delays occur during mining of the panel. Several safety improvements will also result.	\$479,000	\$2,395,000
	00-48312	Conveyor Belt Entry Roof Renovation Project (Priority 4) Project to rehabilitate roof and ribs in Main East belt conveyor entry, from crosscut 100 to crosscut 136. The purpose is to reduce the likelihood of catastrophic roof failure, which would disable the belt conveyor and subsequently shut the mine down.	\$154,000	\$770,000
	01-48325	Roof Bolter Improvement Project - Monterey Mine Monterey will purchase two and upgrade two existing roof bolting machines.	\$298,800	\$1,494,000
	01-48326	Continuous Miner Improvement Project - Monterey Mine Monterey Coal will upgrade and rebuild four continuous miners to keep pace with longwall mining and increase production.	\$552,000	\$2,760,000
	02-48322	Longwall Shearer Replacement Project Monterey proposes to replace longwall shearer, to improve reliability and reduce out-of-seam dilution. The existing Joy 4LS5 is approaching obsolescence and will be replaced by an upgraded shearer with numerous advantages. The replacement will improve the mine's competitiveness.	\$360,000	\$1,800,000
	02-48323	Longwall Production Increase Project The project will ensure longwall equipment reliability during mining of entire panel length of Longwall Panel No. 12. This will allow Monterey to mine coal at the necessary higher production levels required to sustain the mine's competitiveness by extending future panels from 10,000 ft. to 12,500 ft. This provides more total recoverable coal and necessitates the longwall being able to reliably mine 25 percent more raw tons in each panel. The project is to rebuild some components and replace some others, to ensure high reliability.	\$365,800	\$1,829,000
	03-48316	Longwall Coal Clearance System Project Project to purchase new coal clearance system for the longwall, including armored face conveyor, beam stage loader and crusher, and crawler-mounted belt tailpiece.	\$920,000	\$4,600,000

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<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
04-48315	Ventilation Facility Project The project to drill a new ventilation shaft and install a new ventilation facility at Monterey #1 mine is required to provide adequate face ventilation enabling the mine to operate beyond 2005. To meet this need a 10.5 ft. diameter shaft will be drilled and a new fan and associated equipment will be installed.	\$500,000	\$2,512,000
04-48316	Shield Electronics Project Project to replace existing longwall shield electronics system with a new state-of-the-art system. The current system is unreliable causing substantial downtime, and increasing maintenance costs.	\$180,000	\$1,807,000
04-48317	Equipment Upgrade Project Project to replace, rebuild, and/or upgrade several components of the longwall and development mining systems. The project will result in more reliable and higher productivity in critical process areas allowing to meet production targets.	\$332,600	\$3,328,000
05-48308	Longwall Equipment Reliability Project Project to purchase new components for the longwall system, including two AFC drive units, beam stage loader, crusher, and belt tail piece.	\$700,000	\$3,500,000
05-48309	Longwall Productivity Project Project to upgrade coal shearer and to service exchange and rebuild tailgate AFC drive unit. Both of these are components of the mine's longwall system.	\$107,520	\$1,075,200
05-48310	Development Productivity Project Mine proposes to purchase a rebuilt continuous miner from Joy Manufacturing in Mt. Vernon, IL.	\$95,000	\$950,000
06-483011	Slurry Deposition System Project Project to add flocculants to refuse (to cause the solids to settle out) and to deposit the slurry via a new manifold system inside to the refuse embankment. A water decant system will be installed to efficiently recirculate the water for mining operations.	\$182,000	\$910,000
06-483012	Longwall Bleeder Ventilation Project Project to provide ventilation for the next set of longwall panels in the underground mine. The fan, ductwork and associated equipment will be installed prior to mining the new panel.	\$200,000	\$1,005,000
07-483008	Safety Infrastructure Project Project will implement safety improvements, particularly in underground mining, with the purchase of self contained respirators, an underground communication system, and a miner tracking system.	\$332,000	\$1,660,000
<i>Fly-Lite, Inc.</i>		<i>\$375,000</i>	<i>\$1,457,505</i>
99-48306	Fly-Lite, Inc. Start-up costs associated with the production of CCB-based artificial underground mine supports by Fly-Lite, Inc.	\$150,000	\$576,110
01-48317	Manufacturing expansion - Fly-Lite Inc. Fly-Lite will expand its production and marketing of coal ash-based underground mine ventilation blocks and supports.	\$175,000	\$631,395
03-48308	Expansion of Roof Support Production Fly-Lite intends to manufacture two additional coal combustion based products, namely post and crib elements used for supporting underground workings. Project will prepare the area and acquire equipment to speed up production.	\$50,000	\$250,000

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<i>Foresight Reserves, LP</i>			<i>\$766,280</i>	<i>\$3,831,400</i>
	09-483014	Sugar Camp Mine Safety Equipment Foresight Reserves will purchase mine safety equipment including emergency rescue chambers, fire suppression, communication and tracking equipment for the Sugar Camp MC-1 Mine. In addition, the mine will establish and outfit a mine rescue team to meet federal MSHA requirements.	\$766,280	\$3,831,400
<i>Fossil Coal Conversions, LLC</i>			<i>\$4,200,000</i>	<i>\$9,555,900</i>
	06-483013	SIU-C Boiler #2 Retrofit Project Project proposes the use of WCOGS combustion technology system to Boiler # 2 at SIU-C to prove its ability to burn run of mine, IL coal replacing the need for high cost stoker coal.	\$4,000,000	\$8,890,000
	06-483025	SIU-C Boiler #2 Retrofit Project - Demolition Phase Project proposes the use of WCOGS combustion technology system to Boiler # 2 at SIU-C to prove its ability to burn run of mine, IL coal replacing the need for high cost stoker coal.	\$200,000	\$665,900
<i>Franklin Energy Associates, L.L.C</i>			<i>\$500,000</i>	<i>\$4,306,000</i>
	02-48342	1,500 MW Mine-Mouth Coal-Fired Generation Facility - Development Phase Franklin Energy Associates, L.L.C. is currently developing a 1,500 MW mine-mouth coal-fired electric generation facility near the town of Benton in Franklin County. The \$1.5 to \$1.6 billion generation facility will utilize state-of-the-art clean-coal technology and will be the largest constructed in Illinois in over 14 years. Development work to be completed includes coal resource development, electric transmission availability, environmental permitting, electric forward pricing, market studies, and engineering support.	\$500,000	\$4,306,000
<i>Freeman United Coal Mining Co.</i>			<i>\$9,892,446</i>	<i>\$61,318,694</i>
	97-48113	Industry Mine Preservation Freeman will implement innovative mining procedures utilizing mobile Caterpillar equipment to enter previously inaccessible reserve areas adjacent to wheel and shovel pits.	\$530,000	\$4,300,000
	98-48304	Increase Production and Improve Coal Loading at Crown III Freeman United will increase production at its Crown III mine, near Farmersville, IL, and will improve storage and loading capability. This effort is required to make the mine economically viable and create/preserve jobs.	\$460,000	\$5,810,000
	98-48305	Increase Production and Improve Coal Loading at Crown II Freeman United will improve coal storage and loading capability at its Crown II Mine, near Virden, IL. This project will help to preserve 330 jobs, directly. MODIFIED -- equipment purchases & upgrades due to no need for additional storage pursuant to market changes	\$400,000	\$2,240,000
	98-48306	Purchase and Renovation of Rail Line Serving the Walker Creek Mine Freeman United proposes to purchase 5.3 miles of rail from the Illinois Central (IC) who has the right to tear up the track. The rail also needs renovation in order to provide service for a proposed new surface mine in Southern Illinois	\$500,000	\$1,785,000
	99-48342	Slurry Impoundment at the Crown III Mine Freeman United will construct a coal slurry impoundment at its Crown III Mine near Farmersville, IL.	\$400,000	\$2,000,000

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<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
99-48343	Air Ventilation Shaft at the Crown II Mine Freeman United will sink a ventilation shaft at its Crown II Mine near Virden, IL	\$200,000	\$1,000,000
00-48307	Crown III Mine Reconfiguration Freeman United will open a new area of it Crown III Mine located near Farmersville, Illinois.	\$900,000	\$6,000,000
01-48318	Haulage Vehicles for Super Sections - Crown III Mine Freeman will purchase and put into production 2 battery ram haulage vehicles allowing creation of a new super section to replace current regular section.	\$160,000	\$797,964
01-48319	Ash Impoundment - Crown III Mine Freeman will develop a new, environmentally safe coal combustion residue (CCR) disposal impoundment that extends the mine's CCR capacity by five additional years.	\$475,000	\$3,290,000
01-48320	Preparation Plant Upgrade - Crown II Mine Freeman will update and refurbish a 23-year-old facility to improve performance and improve the environmental aspect of coal preparation.	\$220,000	\$1,099,000
01-48321	Underground Conveyor Infrastructure Upgrade - Crown II Mine Freeman will upgrade present underground belt conveyor infrastructure and install new conveyor infrastructure in the main entries of the Crown II Mine's eastern reserves.	\$413,000	\$2,066,000
02-48312	Design, Build and Install Raw Coal Stackers - Crown III Freeman will design, build, and install a raw coal storage system at Crown III Mine. An increased production goal of 16,000 tonnage will require ability to store and reclaim coal quickly and efficiently. This will optimize our preparation plant and loading facilities.	\$448,000	\$2,244,000
02-48313	Haulage Vehicle Rebuilds - Crown III Freeman will factory rebuild two battery powered ram car coal haulage vehicles for the Crown II Mine. These vehicles are used to haul newly mined coal from the working face to the conveyor belt system.	\$40,000	\$400,000
02-48314	Continuous Miner Rebuilds and Repair - Crown III Freeman will completely rebuild, repair and perform engineering updates on 4 continuous mining machines used to extract coal from the working sections of the underground mine.	\$260,000	\$2,600,000
02-48315	Continuous Miner Rebuilds and Repair - Crown II Project proposes a complete rebuild, repair and perform engineering updates on three continuous mining machines used to extract coal from the working sections of the underground mine.	\$195,000	\$1,950,000
03-48309	Mine Air Shaft- Crown II Crown II will drill a new air shaft to provide proper ventilation for underground working areas of Crown II.	\$230,000	\$1,150,000
03-48310	Industry Expansion to North Grindstone The Industry Mine is scheduled to close in early 2003. Moving to the new permit area will extend the life of the mine by approximately 24 months.	\$477,346	\$2,386,730
03-48311	Coal Slurry Pond Expansion and Infrastructure Improvements - Crown III The coal slurry disposal facility will be expanded and improvements made to surface infrastructure including the installation of a warehouse roof, a man/material elevator, and a clean coal chute.	\$425,000	\$2,856,000
03-48312	Continuous Miner Rebuild and Repair- Crown II Freeman will completely rebuild, repair, and perform engineering updates on a continuous mining machine used to extract coal from the working section of the mine.	\$75,000	\$750,000

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03-48326	Surface Prep. Plant/Coal Storage Infrastructure Improvements Crown II will install a clean coal reclamation system and make necessary infrastructure improvements to facilitate its operation. Existing infrastructure will be updated (static thickener, clarified pond, and wire throughout the mine).	\$304,000	\$1,216,000
04-48330	Development of Western Reserve Base -- Crown III Project will rehabilitate entries that lead to the western reserve. New underground ventilation systems must be installed, as well as new belt and conveyors systems in order to bring out the coal.	\$98,200	\$491,000
04-48331	Underground Face equipment Upgrades -- Crown III Freeman plans to completely rebuild and perform engineering updates on coal face equipment and personnel carries.	\$289,500	\$2,895,000
04-48332	Surface Infrastructure Upgrades -- Crown III Freeman proposes to upgrade its preparation plant through updating the coal washing infrastructure.	\$178,000	\$890,000
05-48305	New Equipment for Mine Expansion - Crown III Purchase of 2 continuous miners.	\$600,300	\$3,031,500
05-48306	Underground Face Support Equipment- Crown III Project will purchase seven battery powered haulage cars, three roof bolting machines one scoop, power equipment, belt support equipment and miscellaneous face support equipment.	\$960,100	\$4,800,500
06-483006	Ventilation Infrastructure and Prep plant Upgrade Crown II Project consists of design and engineering for drilling of a new shaft, installing an apron and evasa along with power, a rebuilt rock crusher, rock duster and replacing dryers and feeders to support the new ventilation and prep plant upgrade.	\$473,700	\$2,368,500
06-483020	Emergency Hoist Rebuild and Surface Improvements - Crown III New solid state hoist controls, complete with advanced technology will be installed at Crown III mine. Additionally, clean coal screen pans, replacement of four coal chutes, and belt structure are a part of the project.	\$180,300	\$901,500
<i>FutureGen Industrial Alliance, Inc.</i>		<i>\$1,320,000</i>	<i>\$1,320,000</i>
09-483002	FutureGen: Design, Engineering, and Permitting of CO2 Sequestration Well, MMV and Public Outreach at Mattoon Support the engineering and design work in advance of permitting of the CO2 injection wells for FutureGen by the Illinois EPA. The application requires development of the CO2 sequestration subsystem, engineering design and cost estimate for the injection-delivery system and injection well itself. The IEPA requires that the documentation be site- and fuel-specific to the Mattoon site.	\$252,000	\$252,000
09-483019	FutureGen: Process Flow and Design Analysis of Syngas Production, Capture, Cleaning and Compression The Alliance will conduct advanced engineering, design and cost estimation work on "critical path" items for the FutureGen project to minimized time lost once project is reauthorized. The Alliance will use grant and private partner funds to continue detailed development of CO2 compression systems, synthesis gas capture and cleaning systems and balances among those systems to integrate the "best of the best" gasification technologies at the Mattoon site.	\$612,000	\$612,000
09-483020	FutureGen: Site Specific Gasification and Combustion Turbine Sub-System Design and Impact Analysis The Alliance will advance critical path objectives regarding engineering, design and economic evaluation of gasification and combustion turbine sub-systems for the plant, including aspects addressing carbon capture and the efficient production of power in the FutureGen plant.	\$456,000	\$456,000

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<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
<i>Galatia Township</i>		<i>\$120,600</i>	<i>\$402,000</i>
02-48316	Netty Green Road Upgrade The Galatia Township is proposing to upgrade 0.6 miles of Netty Green Road to Truck Route Standards to serve American Coal.	\$120,600	\$402,000
<i>Gas Technology Institute</i>		<i>\$2,900,000</i>	<i>\$48,175,354</i>
03-48327	Co-funding for GTI's Solid Fuel Conversion Test Facility GTI proposes constructing state-of-the-art Solid Fuel Conversion test facility to evaluate advanced and innovative gasification processes employing a variety of low cost, solid carbonaceous fuels, with the initial focus on Illinois coal.	\$500,000	\$12,018,754
05-48318	Relocation of Morphysorb Pilot Plant to Flex Fuel Test Physically relocate, erect, install and test the performance of the Morphysorb Pilot Plant in Zapata, TX to the GTI plant in Des Plaines, IL.	\$950,000	\$6,258,949
07-483005	Flex-Fuel Facility Upgrade to Support FutureGen Technology Development GTI will design, procure and install equipment in its Flex-Fuel Test Facility that will enable the facility to perform gasification development work directly related to advanced energy initiatives including FutureGen, solid oxide fuel cells, Fischer-Tropsch synthesis and the Rocketdyne gasifier.	\$1,450,000	\$29,897,651
<i>Grindstone Energy, LLC</i>		<i>\$532,300</i>	<i>\$5,323,000</i>
09-483010	New Surface Mine Startup - North Grindstone Surface Mine Grindstone Energy will open a new surface mine in McDonough County, near Macomb, Illinois. Current mining equipment will be upgraded and refurbished. Mine will employ 32 new miners, with annual production of 300,000 tons per year. Site preparation work will begin in late 2008, with their initial box cut to start in early 2009.	\$532,300	\$5,323,000
<i>Heartland Energy, LLC</i>		<i>\$862,600</i>	<i>\$7,488,000</i>
00-48323	Razorback II Mine Development Develop a surface mine near DuQuoin, Illinois.	\$656,000	\$6,455,000
01-48305	Coal Washing Preparation Plant - Razorback II Mine Heartland will purchase and install a 300-tons-per-hour coal washing preparation plant.	\$144,600	\$723,000
01-48306	Fairbanks Truck Scales - Razorback II Mine Heartland will purchase Fairbanks automated truck scales and various electronic equipment, and construct an office complex at the mine.	\$40,000	\$200,000
02-48317	Coal Preparation Upgrades and Modifications Heartland plans to invest, engineer and purchase upgrades and modifications for its wash plant and crushing facility.	\$22,000	\$110,000
<i>ICG Illinois, LLC</i>		<i>\$3,161,640</i>	<i>\$22,811,400</i>
05-48324	Phase 1 - Mine Rebuilding and Expansion Project Project consists of increasing mains, expanding beltlines, expanding the rockdust and underground watering systems and preparing the impoundment area for future production. Several pieces of equipment will be needed to meet these objectives.	\$750,000	\$6,099,200

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<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
06-483007	Elevator Replacement The project consists of installing an elevator that will provide continuous access to all components of the conveying system in the shaft. Maintaining the conveyor is the highest priority of the mine, as it is the only means of getting coal out of the mine.	\$88,000	\$440,000
06-483024	Production Shaft Rehabilitation Remove damaged structure and equipment, purchase new equipment, new structure and install in the production shaft.	\$284,640	\$1,423,200
07-483001	Testing and Implementation of New Mine Safety Technology The project consists of 1) developing, purchasing, and installing a system for tracking and communicating with miners at all times while in an underground coal mine and 2) test and install proximity detection devices on underground mining equipment.	\$175,000	\$700,000
07-483021	Upgrade to Miner Safety Equipment ICG proposes to remodel an existing building for use as a mine rescue training facility as well as purchase and install additional miner safety equipment.	\$199,750	\$799,000
09-483006	Viper Mine Production Portal - Phase II Construct new production portal at ICG Illinois Viper Mine, north of Williamsville, The northern Sangamon County mine supplies coal to Springfield CWLP and other central Illinois users. To more productively mine remaining coal reserves, Viper will sink three shafts, do extensive grading, improve roads, install new electric service and build a new bathhouse, warehouse and office.	\$1,664,250	\$13,350,000
Illinois Department of Natural Resources-Office of Mines and Min		\$4,752,499	\$5,144,244
03-48337	Mine Safety Equipment Dept. of Mines and Minerals will supply to various coal mines safety equipment for the respective mine rescue teams. Equipment will be provided to the participants to supplant outdated or malfunctioning gear.	\$200,000	\$399,427
04-48311	Acquisition of Gas Chromatograph DNR will purchase of a Varian CP4900 Micro gas chromatograph to replace existing and outdated malfunctioning equipment at the State's laboratory.	\$47,565	\$52,463
05-48307	Mine Rescue Equipment Purchase safety equipment for mine rescue teams throughout the State. Currently, equipment in use is unreliable and undependable.	\$30,000	\$46,387
06-483021	Office of Mines and Minerals - Analytical Laboratory Purchase of analytical laboratory equipment is needed to perform accurate analysis of mine atmosphere, rock dust and mine fire samples.	\$50,000	\$110,348
08-483008	Certified State Mine Rescue Stations- Mine Rescue Equipment Project will allow OMM to equip all four of its rescue teams with needed emergency equipment.	\$351,570	\$462,255
09-483023	Mine Rescue Equipment Purchase for Federal Compliance OMM will purchase additional mine rescue equipment. The additional equipment requirement has placed OMM in a position where it must comply with 30 CFR Part 49 and acquire the equipment outlined in the rule. Failure to do so would jeopardize agency mine rescue station certification.	\$73,364	\$73,364
09-483025	Inter- Agency Capital Appropriation Applicant will provide services to facilitate and regulate safety in the coal mining industry in Illinois. Funds will be used for personnel services, contractual services, safety and lab equipment, and EDP equipment as needed to implement miner safety and training within the State.	\$4,000,000	\$4,000,000

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Grant No.	Project Title	Grant Amount	Total Cost
Illinois Eastern Community Colleges		\$596,400	\$1,241,356
06-483009	Equipment Simulation and Safety Project will assist in the purchase of three simulators 1) continuous miner, 2) roof bolter, and 3) longwall miner that will be used in training new and current equipment operators. Additional, 10 Self Contained Breathing Apparatus units to be used by first responders and mine rescue teams at Arclar's mine.	\$284,400	\$416,254
07-483006	Self contained Self Rescuers (SCSR) Grantee will purchase 240 trainers in order to comply with the "Miner Act" requirements to train miners quarterly in the proper procedures for donning self-rescuers, switching from one unit to another, and ensuring a proper fit.	\$36,000	\$90,160
07-483022	Computer Based Training Systems Project will purchase 3 additional sets of CBT systems: 1) continuous miner, 2) roof bolter, and 3) longwall miner. These systems can moved from training sites when needed and available to other mine company operators as needed.	\$90,000	\$102,342
08-483009	SCSR and Mine Rescue Training Gallery The project consists of purchasing training equipment along with a mobile training gallery to train SCSR users in donning SCSRs in smoke related conditions. The training gallery will include a heating unit, ventilation fan, artificial smoke production, directional lights, and other tools to simulate emergency situations.	\$186,000	\$632,600
Illinois Fuel Company, LLC		\$1,350,000	\$8,910,300
02-48319	Underground Mine Development and Equipment Purchase Illinois Fuel Co., LLC is proposing to design, permit, construct, purchase equipment and operate an underground mine. Project tasks include construction and equipment purchases to open an underground mine.	\$950,000	\$5,857,800
02-48336	Illinois Fuel Company, LLC Prep Plant Project Project will convert current facilities from water only to heavy media design. Tasks will include replacement of raw coal feeder, screen and rotary breaker while increasing the belt speeds on the raw side of the plant. The existing washbox and cyclones will be replaced with equipment designed for heavy media circuits. Plans also include improvements to raw coal handling systems.	\$400,000	\$3,052,500
Indeck-Elwood, L.L.C.		\$1,000,000	\$5,000,000
02-48340	Indeck- Elwood Energy Center - Development Phase Indeck plans to build a 660 MW coal-fired steam electric generating station consisting of two 330 MW units. Design will include one CFB boiler and one steam turbine-generator set, one steam condenser, one cooling tower, common coal handling and limestone handling systems. Development work to be performed un this project includes electrical interconnection studies and preliminary plant engineering.	\$500,000	\$2,500,000
03-48329	Indeck - Elwood Energy Center This facility will be a 660 MW coal-fired steam, electric generating station, consisting of 2-330 MW units. Each unit will include a CFB boiler, one steam condenser, one cooling tower, common coal and limestone handling systems.	\$500,000	\$2,500,000
Jader Coal L.L.C.		\$2,046,000	\$32,146,500
99-48302	Jader Coal L.L.C. - Prep Plant Improvements to the prep plant will be made to double the plant capacity	\$550,000	\$24,311,500

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Grant No.	Project Title	Grant Amount	Total Cost
00-48326	Jader Aggregates Group, L.L.C. To start a coal recovery operation in Sesser, Illinois that will allow Southern Illinois Power Cooperative to continue to utilize Illinois Coal.	\$500,000	\$2,831,000
01-48303	Equipment Upgrades Jader will upgrade and replace major components on existing mining equipment so that an existing coal supply agreement may be increased and extended to sell an additional 5.5 million tons of Illinois Coal.	\$996,000	\$5,004,000
Kaskaskia Regional Port District		\$200,000	\$760,996
97-48112	Kaskaskia Port District Rail Improvements This project will repair 7 miles of track owned by the Kaskaskia Regional Port District and operated by Peabody Coal Company. The track connects Peabody's Randolph Prep plant to the rail to coal terminal south of New Athens.	\$200,000	\$760,996
Kinder Morgan CO2 Company, L.P.		\$315,000	\$315,000
08-483004	A Study of CO2 Capture, Transport and Use in Illinois KMEP will conduct a study to identify the key CO2 emission sources, major enhances recovery oil fields and storage tanks, analyze and design aggregation and distribution infrastructure requirements, and determine options for major pipeline routings.	\$315,000	\$315,000
Kinder Morgan Energy Partners		\$1,400,000	\$6,900,000
98-48314	Coal Storage and Blending Facilities Infrastructure improvements to the coal storage and blending facilities at Cora Terminal to improve coal handling and blending capabilities.	\$400,000	\$1,900,000
98-48315	Railroad Track Expansion at Cora Terminal Additional railroad track at Cora Terminal to increase train size and staging area.	\$500,000	\$2,500,000
99-48335	Train Positioner Upgrade at Cora Terminal Upgrade train positioner at Cora Terminal to help manage increased train sizes coming into the terminal.	\$500,000	\$2,500,000
Knight Hawk Holdings, LLC		\$10,946,890	\$98,641,473
98-48318	Jackson County Road Improvements Development of road access to Knight Hawk Coal, LLC's proposed Creek Paum mine including construction of 3900 feet of new township road and improvement of 3.1 miles of County Road #2-Mudline Road.	\$200,000	\$777,597
99-48319	Creek Paum Mine Road Projects Construction of a 13,000' coal truck haul road and improvement of two miles of an Ora Township public road.	\$324,000	\$602,000
99-48320	Creek Paum Mine Preparation Facilities Development of a preparation facility to screen and process Creek Paum coal.	\$500,000	\$1,505,000
00-48321	Creek Paum Mine Wash Plant Second phase of the Creek Paum Mine Preparation Plan development involving the construction of a 300 ton per hour heavy media wash plant.	\$500,000	\$2,850,000

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<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
01-48322	Coal Transportation Joint Venture - Lone Eagle Dock Knight Hawk Coal and Ameren Services are jointly developing a transportation company to improve marketability of Illinois coal through Knight Hawk's Lone Eagle Dock. The grant would assist in the purchase of 15 barges and a 900 Hp tugboat to efficiently handle an expected 70% increase in volume.	\$800,000	\$4,000,000
01-48323	Pioneer Mine Development Knight Hawk will develop a new mine in Perry County on a 1,000-acre property with an estimated recoverable coal reserve of 4 million tons. Construction of the mine is planned for early 2001, shipping at a monthly rate of 20,000 to 35,000 tons.	\$134,000	\$670,000
02-48318	Reclamation Equipment and GPS Surveying System Heartland plans to purchase a John Deere 9400 scraper tractor, D-11 bulldozer and a GPS Surveying System to better comply with state reclamation regulations and reclaim wetlands/prime farm ground.	\$180,000	\$900,000
02-48320	Creek Paum Mine Infrastructure Improvements This is a comprehensive proposal to increase the efficiency of the Creek Paum Mine infrastructure encompassing: 1) an augur sampling system 2) construction of underground reclaim systems to blend coal, 3) resurfacing of the Creek Paum truck haul road and 4) various preparation plant improvements.	\$342,000	\$1,710,000
02-48321	Pioneer Mine Extension Pioneer Coal, LLC is proposing the extension of the Pioneer mine in Perry County. Construction of the mine extension is planned for the latter part of 2002, which will allow for continued shipping from this mine at over 50,000 tons per month.	\$175,000	\$1,255,000
03-48314	Creek Paum Equipment Extension Lease on equipment used at the mine will expire. Project will call for the purchase of this equipment at various residual values.	\$430,000	\$2,146,300
03-48315	Creek Paum Mine Crusher Knight Hawk is proposing the replacement of a crusher at Creek Paum Mine with a heavy duty crusher that will withstand the impact of pyrite and rock in the coal seam.	\$45,000	\$225,000
03-48319	Efficiency and Structural Modification to Coal Wash Plant Phoenix will design, modify, purchase various components and control building, facilitating greater coal recovery and washed stoker coal capacity to the wash plant.	\$80,200	\$400,100
03-48330	Reclamation Support This project will assist in the reclamation process. Equipment purchases include low compaction dozer, a tractor, bale shredder and blower, and tillage equipment.	\$50,000	\$250,000
04-48312	Knight Hawk Coal GPS Support Project is for procurement of new coal lab equipment and a GPS equipment monitoring system. The lab equipment expands capabilities of coal quality analysis that is mandatory in the blending process. GPS monitoring system will improve dozer production which assists in 80% overburden removal.	\$43,000	\$215,000
04-48313	Red Hawk Mine Support Equipment The project will purchase new equipment and upgrade of the wash plant at the new Red Hawk mine.	\$243,500	\$1,465,000
05-48301	KHC Highwall Miner The project entails the purchase of a superior highwall miner and cutter head.	\$950,000	\$6,500,000
05-48319	Prairie Eagle Mine Development Project will include purchase of equipment, development of reserves for a combination highwall- surface mine, wash plant and load out facility.	\$2,200,000	\$18,010,000

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Grant No.	Project Title	Grant Amount	Total Cost
06-483010	Prairie Eagle Underground Mine Project will entail the construction and development of an underground mine along with supporting facilities such as a bathhouse and belted conveyor system transporting coal to the prep plant.	\$750,000	\$10,000,000
07-483007	Royal Falcon Underground Mine Project entails the purchase of underground mining equipment, construction of a heavy media preparation plant, bathhouse, development of a boxcut, and purchase of a slope belt to transport coal to the preparation plant.	\$2,000,000	\$32,280,000
08-483010	Carbondale Rail Load-out Improvement KHC plans to modify and improve its Carbondale Rail truck-to-rail transloading facility. The project includes lengthening the existing rail car staging track, installing a larger drive across truck dump, new winch assembly, and a mobile power unit.	\$52,000	\$260,000
09-483016	Prairie Eagle - East Underground Mining Equipment Project Knight Hawk will establish a new underground mine at the Prairie Eagle Mining Complex, creating 50 new jobs and increasing production by 600-800 thousand tons annually. Grant funds will assist in the purchase of the additional mining equipment needed to operate the mine.	\$500,000	\$11,500,000
09-483017	Prairie Eagle Mining Complex- Safety Improvements Knight Hawk will purchase mine safety equipment for the Prairie Eagle Mine, including two rescue chambers, a tracking system, a wireless communication system, additional self contained self rescuers, SCSR cache storage containers, lifelines, taglines and various multi-gas smoke detectors.	\$212,150	\$530,376
09-483018	Royal Falcon Underground Mine - Safety Equipment Improvements Knight Hawk will purchase mine safety equipment for the Royal Falcon Mine. Including two rescue chambers, a tracking system, a wireless communication system, additional self contained self rescuers, SCSR cache storage containers, lifelines, taglines and various multi-gas smoke detectors.	\$236,040	\$590,100
Lafarge Midwest, Inc.		\$2,000,000	\$580,000,000
08-483003	Joppa Expansion Joppa plant will undergo a complete upgrade to its 43 year old facility. The plant will include a new incoming dock, raw material handling and storage area, clinker storage, cement grinding and dispatch, and a cement loading dock.	\$2,000,000	\$580,000,000
Liberty Coal Company		\$2,467,812	\$17,408,411
02-48324	Liberty Coal Company - Liberty Mine The proposals outlines underground operations improvements; construction of cell #5, improvements to coal transfer equipment.	\$465,400	\$4,654,000
03-48331	Preparation Plant Upgrade Liberty proposes to make repairs to operate and enhance the efficiency of the existing preparation plant.	\$191,412	\$958,412
03-48332	Underground Coal Production Equipment upgrades need to be made in order to extend the life of the mine and improve production capabilities.	\$520,000	\$3,263,709
04-48337	Slurry Disposal Installation and construction of a slurry disposal facility with a life expectancy until 2014.	\$431,000	\$2,156,660

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<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
05-48320	Liberty Mine Expansion Project Project will add a second mining unit allowing for two separate production faces. Current production levels are not high enough to support current overhead and fixed costs.	\$860,000	\$6,375,630
Macoupin County Highway Department		\$167,000	\$835,000
01-48324	Monterey Mine Road (County Highway 56) Improvements Macoupin County will improve 3 miles of the Monterey Mine Road (County Highway 56) from IL Rte 4 to the Monterey Mine facility.	\$167,000	\$835,000
Midwest Transload		\$400,000	\$1,550,000
04-48314	Midwest Transload Coal Loading Project Project consists of re-installation of coal handling and loading system at Midwest's site. Additionally, an overland conveyor system will be placed into service, repair and updating rail scales, and construction of a containment pond.	\$400,000	\$1,550,000
Montgomery County		\$286,800	\$358,500
05-48311	Farmersville Overpass Rehabilitation (FAS 732 CH17) Project involves the overlay and repair of a section roadway on the Farmersville overpass that services coal trucks in the area.	\$286,800	\$358,500
Ohio River Dock Corp.		\$100,000	\$223,400
98-48316	Ohio River Dock Improvements Ohio River Dock Corp. will make improvements to access roads, ramps, electronic scale, coal belt sampler, belt scale, and drive-in hopper to improve coal transportation and blending capabilities.	\$100,000	\$223,400
Old Ben Coal Company, subsidiary of Horizon Natural Resources		\$3,932,600	\$22,497,000
97-48116	Stoker Coal and Truck Loadout Old Ben will modify its Central Cleaning Plant to add a stoker coal production circuit and to relocate a new truck loading facility for both steam and stoker coal from its recently closed Old Ben Mine 26.	\$200,000	\$426,000
99-48317	Slope Belt Upgrade Replace existing 48" width slope belt and 500HP drive system w/a 51" width belt and a 1000HP drive system	\$120,000	\$600,000
99-48318	Installation of Screen Bowl Centrifuge at Central Cleaning Plant Installation of Screen Bowl Centrifuge Dryer and miscellaneous plant modifications	\$200,000	\$825,000
00-48313	Heavy Media Plant Modification Replace the existing Baum Jigs and hydrocyclones with heavy media cyclones and spirals. The project will also include the replacement of the fine coal dryers with a screenbowl centrifuge drying system.	\$525,000	\$2,900,000
01-48327	Face Equipment Upgrade - Zeigler No. 11 Mine Old Ben will upgrade the Zeigler 11 mine's face equipment by replacing aging, worn equipment with new or reconditioned equipment. All machines will have the latest technological advances incorporated into their design.	\$800,000	\$5,100,000

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Grant No.	Project Title	Grant Amount	Total Cost
01-48328	Plant Upgrade - Zeigler No. 11 Mine Old Ben will upgrade its central coal cleaning plant by adding computerized automation to existing circuitry, a fine refuse screening circuit, replace/repair structural steel, paint exposed surfaces in the plant and upgrade the dozer fleet.	\$187,000	\$935,000
02-48325	Clean Coal Storage A 10,000 ton ground storage facility will be installed adjacent to the preparation plant. The facility will have a 1,000 tph delivery rate and will be integrated into the existing clean coal load-out system.	\$440,000	\$2,200,000
02-48326	Plant Support Systems Upgrade The support systems, raw coal handling, clean coal load-out, and refuse handling systems will be upgraded. Work will include modifications, improvements, and repairs to allow for optimized plant performance.	\$539,000	\$2,695,000
03-48317	Clean Coal Storage - Phase II The project will relocate the existing batch weigh load-out from the idle property to the central cleaning plant. Additional modifications to the existing rail spur will be made to accommodate larger trains.	\$270,000	\$1,500,000
03-48318	Mine II - Eden Expansion 3000 feet of mainline entries will be rehabilitated, the mainline belt will be extended, ventilation work to be completed, and upgrades to the power supply as needed to extend the Eden Reserves.	\$240,000	\$1,200,000
03-48325	Mine 11 - Equipment Upgrade The mine will replace aging and outdated equipment with new or reconditioned equipment including continuous miners, shuttle cars, roof bolters, rock duster and scoops. Equipment will have the latest technology and design.	\$411,600	\$4,116,000

Parks Coal Company		\$227,000	\$1,307,170
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01-48329	Parks Coal Company Primary and Secondary Recovery Surface Mining Parks Coal will modify current screen plant into a complete preparation/processing operation to lower ash and sulfur to improve marketability.	\$227,000	\$1,307,170
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Peabody Coal Company		\$2,384,000	\$12,678,343
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97-48110	Peabody/City of Baldwin Waterline Peabody will establish an on-site source of potable water for its Randolph Prep Plant to reduce operational costs and provide a regular supply of potable water. The project will also link the Village of Baldwin to the Kaskaskia Water District.	\$250,000	\$659,300
98-48301	Dome for TSM Coal Stockpile To construct an enclosure over raw coal stockpile. To eliminate an annual cost of \$120,000 for replacing telescoping chute. To eliminate coal dust generation to the surrounding landowners.	\$140,000	\$700,000
98-48303	Randolph Prep Plant Truck Loadout Facility Peabody will build a new, automated truck loadout facility at its Randolph Prep Plant.	\$550,000	\$1,300,000
98-48322	New Manshaft and Portal Facilities at Marissa Mine Peabody will construct an elevator/manshaft, wash house, water tower, intake airshaft, sediment pond, sewer facilities, transmission line and substation for expansion into a new coal reserve area.	\$700,000	\$6,315,936
99-48303	Red Barrel Disposal Area Construction of seven earth levees, access roads, laying of slurry pipe, discharge structures and relocation of Illinois Power 345 KV transmission line.	\$320,000	\$1,583,644

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Grant No.	Project Title	Grant Amount	Total Cost
99-48304	Railroad Upgrade Improve the rail system Peabody uses to provide coal to our customers.	\$424,000	\$2,119,463
Peabody Investments Corp.		\$850,000	\$8,434,000
08-483006	Mine Safety Equipment Project consists of purchasing of 1) self contained self rescuers, 2) purchasing and installing rescue chambers, purchasing electronic tracking systems and 4) the purchasing of mine rescue equipment.	\$100,000	\$500,000
09-483012	Gateway Mine Equipment Expansion Peabody will add a sixth coal mining unit and three superunit positions at the Gateway Mine increasing work force levels by 22 percent. Project will consist of purchasing additional underground mining equipment. Project will create 58 new jobs over a three year period.	\$750,000	\$7,934,000
Phoenix Energy Resources, LLC		\$19,740	\$98,700
03-48320	Technical Upgrades for Truck scales and Staging Area Phoenix will purchase various components and replacement upgrades to increase the overall efficiency of the automated truck scales. Additional work will be performed regarding the site preparation, fill material and grading.	\$19,740	\$98,700
Power Holdings of Illinois, LLC		\$2,750,000	\$28,327,060
06-483022	Preliminary Design, Engineering and Feasibility of the Southern Illinois Coal to SNG Project Power Holdings will conduct the preliminary design, engineering and economic feasibility for a coal gasification facility that will produce 115,000 mmBtu/day of pipeline-quality synthetic natural gas in Jefferson County.	\$500,000	\$3,202,700
07-483013	Southern Illinois Coal-to-SNG Project Power Holdings will conduct Phase II of its detailed engineering, design and development of a proposed coal gasification facility in Jefferson County. The proposed facility will use Fischer-Tropsch Synthesis to manufacture pipeline-quality, synthetic natural gas.	\$2,000,000	\$24,874,360
07-483013	Southern Illinois Coal-to-SNG Project - Modification to Grant #07-483013 Adds four new tasks to existing grant #07-483013 to include analysis of CO2 Capture Cost-Benefits, Integration Concepts for CO2 Capture, Legislative Impacts of CO2 Capture, Carbon Footprint of SNG Facility, and Coal Slurry & Slag Pipelines Design and Engineering.	\$250,000	\$250,000
Power, Inc.		\$390,000	\$1,950,000
02-48305	Power Dock Upgrade Arclar is constructing a new mining complex accessing new reserves and decreasing distribution cost. A power dock upgrade is necessary to handle 5,000,000 ton/year throughput.	\$390,000	\$1,950,000
Prairie State Generating Company, LLC		\$7,145,500	\$143,644,500
02-48339	Prairie State Energy Campus/Baldwin Substation Reconstruction and Upgrades- Phase I Prairie State Energy Campus is a planned, new 1500 MW power plant and a 6 million ton per year coal mine facility. This proposal encompasses Phase I of the Baldwin Substation Reconstruction and Upgrades, which is required for the power plant to place electricity on the transmission grid.	\$900,000	\$4,500,000

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<i>Grant No.</i>	<i>Project Title</i>	<i>Grant Amount</i>	<i>Total Cost</i>
05-48321	Drilling and Testing Program of Raw Illinois Coal (Herrin #6 Seam) Applicant proposes to conduct a coal drilling/ coring and coal analysis of Herrin # 6 seam for the planned Prairie State Generating Station.	\$150,000	\$750,000
05-48322	Electrical Transmission Interconnection - Phase 1 Construction inside the Baldwin Substation to include installation of high voltage breakers, structural steel, high voltage air break switches, fiber optic cables, station lighting, instrument transformers, relaying and controls, communication panels insulators and arrestors.	\$422,500	\$2,112,500
07-483009	Electrical Transmission Interconnection - Phase II Project includes hard costs for upgrades at the Baldwin Substation needed to connect the proposed Prairie State Energy Campus to the electrical grid.	\$422,500	\$2,112,500
07-483024	Substation Power Project Construction of a distribution substation and overhead electrical power lines. Costs are for the clearing/grubbing, excavation, fill, lines and poles, transformer, circuit breakers, steel structures, foundations, relaying and metering, fencing and labor.	\$410,500	\$2,052,500
08-483001	Wet Electrostatic Precipitator Project will consist of purchasing and installing the Wet ESPs. Project description was omitted from our proposal but is referenced that we could view it as this was submitted to Clean Coal Review Board for consideration!	\$2,500,000	\$102,205,000
09-483001	Lively Grove Mine Rescue Station Build new mine rescue station for Lively Grove Mine so Prairie State will meet federal safety regulations. The 6 MT a year mine in Washington County will feed coal to the Prairie State plant. The rescue station must be built before work on the mine's slope can begin.	\$340,000	\$340,000
09-483004	Lively Grove Mine Slope and Shafts Construct the mine slope and two airshafts at the new 6 MT a year Lively Grove Mine in Washington County. The room-and-pillar method mine will employ 400 permanent workers. It will output coal for shipment by belt to the nearby Prairie State Energy Campus.	\$2,000,000	\$29,572,000
<i>Pratt & Whitney Rocketdyne, Inc.</i>		<i>\$950,000</i>	<i>\$16,749,887</i>
09-483013	Advanced Gasification Pilot Plant for Testing with Illinois Coal Pratt & Whitney will construct a pilot-plant of its Advanced Rocketdyne gasifier at the Gas Technology Institute Flex Fuel Test Facility in Des Plaines. This pilot plant will facilitate long-term testing and development of their Advanced Gasifier using Illinois coal. In addition, upgrades will be made to the existing GTI Flex Fuel Test Facility to increase capacity for high-pressure oxygen supply, increase cooling water supply systems and improve filters associated with the output of SNG at high pressure.	\$950,000	\$16,749,887
<i>Rapps Engineering and Applied Science</i>		<i>\$157,000</i>	<i>\$157,600</i>
04-48318	Groundwater Impact at Coal Refuse Disposal Facilities in Illinois This project proposes to construct groundwater flow and mass transport models to stimulate the hypothetical leakage of mine waste into groundwater.	\$157,000	\$157,600
<i>Rend Lake College</i>		<i>\$1,357,500</i>	<i>\$1,357,500</i>
08-483012	Rend Lake College Coal Mining Training Facility Applicant proposes to construct a 20,000 square foot facility on its campus in Ina, Il.	\$1,072,500	\$1,072,500

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09-483024	Rend Lake Mine Rescue and Safety Training Center Applicant proposes to construct a state of the art mine rescue training center at its Ina , IL campus.	\$285,000	\$285,000
Rentech Energy Midwest Corporation		\$500,000	\$1,415,000
04-48333	East Dubuque Hydrocarbons Conversion Project Project will perform a study to evaluate the potential to convert an existing ammonia fertilizer plant from natural gas to coal plus add power generation and Fischer-Tropsch liquids (diesel).	\$500,000	\$1,415,000
River Enterprises, Inc.		\$91,000	\$455,610
99-48337	Coal Loading Improvement Program Expanding and improvement of existing loading facility to better meet the needs of Illinois coal producers.	\$91,000	\$455,610
S Coal Company		\$2,142,146	\$17,136,998
02-48309	S Coal Company - Cambria Mine S Coal intends to purchase a coal crusher for installation at the Cambria site. The crusher is needed to better position the mine in the sampling of its product with its customers. Currently, the customers are docking the supplier for low grade coal shipments.	\$150,000	\$759,000
02-48327	S Coal Company - Cambria Mine S Coal Company has opened a new coal mine to fill a 5-year coal contract to SIPC at Lake of Egypt, Illinois. The mine will include a new box cut, all new Cat equipment and will employ 20 to 40 employees.	\$300,000	\$6,048,222
04-48319	S Coal company Expansions (Task 1-4) S Coal will purchase and install a coal wash plant and coal auger for use at its Cambria Mine.	\$252,146	\$1,260,795
05-48323	S- Coal Expansions - New Mining Equipment Purchase new mining equipment to operate a surface mine. The components of the project are : 992G Cat loader, 2 777D Cat haul trucks, and 365BL Cat excavator. Additional tasks call for construction of roads, ponds and ditches.	\$720,000	\$4,650,981
07-483010	S Coal Expansions - Secondary Mining Unit of the 5th Seam S Coal will purchase equipment to expand mining operations down to the 5th seam. Mining is currently done in the 6th seam, with the 5th seam 30 feet below.	\$720,000	\$4,418,000
Saline Valley Conservancy District		\$409,500	\$1,420,500
02-48328	Saline Valley Conservancy District Ground Storage Tank The Saline Valley Conservancy District is proposing to construct an 1.5 million gallon storage tank to serve the needs of Sugar Camp Coal's Willow Lake Mine.	\$322,000	\$983,000
05-48304	New Water Well Project proposes to construct a new water well allowing SVCD to continue to service the needs and demands of the coal industry in Southeastern Illinois region.	\$87,500	\$437,500

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<i>Shawneetown Regional Port District</i>			<i>\$700,000</i>	<i>\$6,700,000</i>
	07-483026	Ohio River Coal Loading Facility Construction of a coal loading facility on the Ohio River, consisting of a coal dump hopper, an end loader, bull dozer, 1700 lineal feet of 48" wide coal beltline with supporting structures, a barge loading structure and 3 working barges.	\$700,000	\$6,700,000
<i>SilverCreek Construction Company</i>			<i>\$209,000</i>	<i>\$869,000</i>
	99-48321	Bear Mine - Wash Plant Small surface coal mining operation serving Midwestern utilities and commercial customers.	\$50,000	\$330,000
	99-48322	Bear Mine - Powerline Installation Installation of a new power line into the Bear Mine site. Silver creek has purchased all of the materials already and is requesting installation costs only.	\$10,000	\$110,000
	99-48323	Bear Mine - Shop Installation Silvercreek will construct a shop facility to service and maintain equipment at the Bear Mine.	\$50,000	\$330,000
	99-48336	Bear Mine - Road Improvements Silver Creek Construction will resurface two miles of county road leading to the new Bear Mine.	\$99,000	\$99,000
<i>South Central Illinois Regional Planning and Development Commi</i>			<i>\$91,500</i>	<i>\$603,500</i>
	04-48335	Public Infrastructure, Facilities and Services, & Geotechnical Studies The first of two feasibility studies will characterize the public infrastructure, public facilities, and public services requirements relating to the Clean Coal Power, Inc. project. The second study will characterize the geotechnical constraints imposed on the future coal and power plant site.	\$50,000	\$382,000
	07-483027	Regional LEAM Program (South Central Illinois) Applicant will enter into an agreement with U of I, LEAM research department to conduct a five county area study to implement a land use evaluation and assessment modeling program.	\$41,500	\$221,500
<i>Southeastern Illinois Regional Planning & Development Commissi</i>			<i>\$627,000</i>	<i>\$2,573,463</i>
	99-48307	Shelterville Road Upgrade Upgrade of Shelterville Road. MODIFIED -- Saline Valley Conservancy District water tower and pump station for American Coal's Galatia Mine	\$115,000	\$230,000
	99-48308	Gape Hollow Road Extension Upgrade of 3.65 mile stretch of Gape Hollow Road	\$296,000	\$1,480,000
	01-48330	Shelterville Road - Hardin County This project will upgrade 2.14 miles of the Shelterville Road serving the Jader Fuel Co., Inc. and Sugar Camp/Arclar/Black Beauty coal mines.	\$199,000	\$796,463
	03-48328	Coal Study SIRP&DC proposes to conduct a study of the coal industry in Southeastern Illinois to determine the needs and incentives to create and retain employment opportunities in the mining industry.	\$17,000	\$67,000

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<i>Southern Illinois Power Cooperative</i>			<i>\$1,500,000</i>	<i>\$27,848,800</i>
	02-48329	<p>Marion Coal Handling System Improvement Project</p> <p>Southern Illinois Power cooperative (SIPC) is proposing to make improvements to the coal handling system at the Marion Generating Station in Williamson County. These improvements will support the new Circulating Fluidized Bed Boiler (CFB) boiler project. The use of additional coal will also require upgrades and additions to the ash handling system.</p>	\$800,000	\$13,848,800
	09-483007	<p>SIPC-Marion Unit 4 Scrubber Oxidation Project</p> <p>Convert sulfur removal system at SIPC Marion Unit 4 from natural oxidation to forced oxidation. Upgrading the SO2 scrubber that will produce an easily-to-dry, saleable gypsum byproduct. The forced oxidation system will also control scaling within the absorber.</p>	\$700,000	\$14,000,000
<i>Southern Illinois University at Carbondale</i>			<i>\$1,794,890</i>	<i>\$4,581,520</i>
	99-48330	<p>Strategic Contractual Matching for Implementation of New Technology and Infrastructure in the Illinois Coal Industry</p> <p>Develop strategy and technology to ensure continued operation of the Wabash Mine. (Proposal is undergoing revision to incorporate OCDM changes)</p>	\$450,000	\$879,130
	00-48328	<p>Technical and Economic Feasibility Study For a New Generation Facility</p> <p>High-level economic and technical feasibility study for adding approximately 20 Megawatts of coal-fired generation capability to the existing plant, including potential for the output of the unit to provide capacity for the SIUC and SIUE campuses as well as income through the sale of energy.</p>	\$27,390	\$27,390
	01-48340	<p>Engineering Study for a 24.9 MW Coal Fueled Power Plant</p> <p>Feasibility study for expansion to the power plant. The study will evaluate the environmental, construction, permits and site cost, as well as complete energy market analysis to determine viability of a needed power plant expansion project.</p>	\$80,000	\$100,000
	04-48334	<p>SIU-C New Coal Storage and Handling System</p> <p>Project will design, engineer, construct and site work required to install a coal receiving system, storage and handling systems for containment of coal, a system to feed coal to the plant, and maintenance access systems.</p>	\$950,000	\$3,150,000
	06-483014	<p>Pug Mill Ash Conditioner and Loading System at SIU-C</p> <p>SIU-C will design, engineer, and install a 50 ton per hour pug mill for truck loading of boiler plant ash. Project calls for the removal of existing system, structural electrical and plumbing modifications and minor equipment changes.</p>	\$87,500	\$175,000
	07-483015	<p>Feasibility Study for Gasification Based Ultra Clean Power Generation for Multi-User Clean Energy Delivery</p> <p>SIU-C will conduct a feasibility study on the construction and operation of a coal gasification power plant. The project will address regulatory analysis, cost analysis, site and resource requirements, economic and environmental implications, and permitting issues.</p>	\$200,000	\$250,000
<i>Springfield Coal Company, LLC</i>			<i>\$237,000</i>	<i>\$1,186,000</i>
	09-483009	<p>Miner Safety-Rescue Chambers</p> <p>Springfield Coal will purchase and install rescue chambers throughout the Crown III Mine to improve safety of the miners in the event of a mine disaster. Chambers will have the capability of housing 44 miners for each section and two additional chambers for miners working out of the section.</p>	\$237,000	\$1,186,000

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TAREX Construction, Inc.		\$500,000	\$3,720,732
03-48333	Carbon Recovery - Liberty Mine Tarex proposes to set up a flowtex fine coal recovery plant at slurry ponds located at Liberty Mine. Tarex will purchase a modular fine coal recovery plant and related equipment.	\$500,000	\$3,720,732
TECO Barge Line		\$200,000	\$636,000
98-48324	Transportation Optimization Initiative Development of an information/optimization computer system that will insure the economically efficient delivery of Illinois coal purchases and optimize the delivery to the Port of New Orleans for export.	\$200,000	\$636,000
Tri-City Regional Port District		\$50,000	\$70,000
97-48117	Tri-City Coal Export Expansion Feasibility Study Tri-City Port District will study options for increasing the movement of coal through its facilities to Mexican markets. This project will support ongoing efforts by Norfolk Southern and CoalTech to find markets for the Monterey #2 and Wabash mines.	\$50,000	\$70,000
Turriss Coal Company		\$4,181,000	\$37,780,000
97-48114	Engineering Design for Rail Spur and Rail Loadout Facility Turriss will conduct an engineering design of a rail spur and loadout facility for the Elkhart Mine.	\$100,000	\$1,438,000
98-48319	Resurface Westbound Lane of Elkhart Mine Road Turriss will remove the top three to four inches of westbound land to remove rutting that has developed from 15 years of trucks hauling coal. Milled lane will be resurfaced with 3 inches of asphalt overly.	\$60,000	\$300,000
98-48320	Construction of Ventilation Shafts and Fan Installation Construct new intake and exhaust shafts and install a new fan.	\$500,000	\$2,500,000
99-48310	Construct Elevator, Changehouse, & Support Facilities Construct mineshaft elevator, changehouse, and support facilities at Williamsville Portal. New facilities centralize Turriss' mining operation within reserve, and allow for further reduction in coal production costs.	\$500,000	\$3,000,000
99-48311	Construction of Overland Conveyor Construct an overland conveyor belt which will allow Turriss to seal deteriorating mains and centralize mining within remaining reserves.	\$500,000	\$12,000,000
99-48334	Purchase Equipment for Fourth Mining Unit Purchase continuous miners, roof bolters, and ram cars needed to operate a fourth production unit. Additional unit will provide increased coal production and additional jobs.	\$368,000	\$5,000,000
00-48314-4	Task 4 - Procure Conveyor Materials Phase I Procurement of conveyor materials for use in the installation of the overland and slope conveyors.	\$250,000	\$2,600,000
00-48314-5	Task 5 - Site Development of Overland Conveyor Turriss proposes installing an overland conveyor from the new materials handling site to the Elkhart preparation plant. Installation of the belt eliminates the need for trucking approximately 3.6 million tons of raw coal thus improving the health and safety of the neighboring towns.	\$150,000	\$1,500,000

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00-48314-6	Task 6 - Installation of Overland Conveyor #1 Installation of the first overland conveyor to transport raw coal to the Elkhart Prep Plant.	\$100,000	\$1,125,000
00-48315	Purchase Equipment for Fourth Mining Unit (Phase II) Turriss is adding a fourth unit to develop mains in the new reserve area. This enables Turriss to rebuild two miners and two roof bolters.	\$400,000	\$2,050,000
01-48331	Construction of a New Slope - Williamsville Mine Turriss will construct a new, centrally-located slope within Turriss' remaining reserves. This project is part of a multi-year plan to close off old workings and move operations to the Williamsville portal.	\$453,000	\$2,267,000
01-48332	Preparation Plant Upgrade - Elkhart Facility Turriss will increase the Elkhart preparation plant's capacity from 800 tons per hour to 1,200 tons per hour.	\$800,000	\$4,000,000
<i>United Mine Workers of America</i>		<i>\$71,511</i>	<i>\$71,511</i>
99-48301	Coal Industry Liaison UMWA will work as liaison to DCCA and assist with unemployment referrals and job training, industry survival strategies, public relations, information/technology transfer, good will ambassador.	\$71,511	\$71,511
<i>Vigo Coal Company, Inc.</i>		<i>\$1,426,000</i>	<i>\$7,618,709</i>
00-48322	Mine Start Up and Development This project identifies the design, engineering, construction and equipment necessary during the initial start up of the new Friendsville Surface Mine.	\$900,000	\$4,988,709
03-48334	Coal Preparation Facility The facility will be constructed using air as a cleaning medium rather than water. Plant will wash 200 tons of coal an hour. Pyritic sulfur will be removed by floating the coal on a bed of air over a vibrating screen.	\$526,000	\$2,630,000
<i>Village of Galatia</i>		<i>\$312,120</i>	<i>\$1,040,400</i>
02-48330	Water Main Replacement The Village of Galatia is proposing to replace 49,000 linear feet of water mains to serve American Coal Co.	\$312,120	\$1,040,400
<i>Village of Sauget</i>		<i>\$230,000</i>	<i>\$1,200,000</i>
02-48331	Fly Ash Concrete Demonstration -Sauget Sports Stadium This project will utilize fly ash concrete in the construction of walkways and concourses serving the new Sauget Sports Stadium.	\$230,000	\$1,200,000
<i>Wabash Mine Holding Company</i>		<i>\$7,860,200</i>	<i>\$53,588,000</i>
99-48324	Wabash Mine - Proposed Portal Facility Design and construction of a new portal facility that is closer to the mine's future active workings.	\$424,000	\$2,122,000
99-48325	Wabash Mine - Proposed Preparation Plant Modification Modification of the existing Preparation Plant consisting of the design and construction of circuit modifications to increase the fraction of coal that can by-pass the processing machinery.	\$43,800	\$219,000

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00-48317	Wabash Mine - Proposed Preparation Plant Modification Project Wabash will make modifications to increase prep plant yield.	\$12,000	\$60,000
00-48318	Wabash Mine - Proposed Equipment Rebuild and Replacement Project Wabash proposes to rebuild a continuous miner, roof bolter booms, a conveyor belt feeder and a diesel scoop.	\$223,000	\$1,115,000
00-48319	Wabash Mine - Proposed Roof Support Rehabilitation Project Wabash will rehabilitate roofs along existing belt and haulage entries and into western reserve area.	\$102,400	\$512,000
00-48320	Wabash Mine - Proposed Thickener and Track Loop Repair Project Wabash will make repairs to the refuse thickener tank and the mine track loop.	\$16,600	\$83,000
01-48334	Belt Upgrade and Roof Control Project - Wabash Mine Wabash will upgrade the existing beltline, primarily leading to the Western Reserve area, and improve both primary and secondary roof support throughout the mine.	\$600,000	\$4,924,000
01-48335	2001 Equipment Rebuild and Replacement - Wabash Mine Wabash will rebuild or replace various equipment and components used in coal production and coal preparation. Affected equipment includes a continuous miner, a roof bolter, the conveyor belt feeder, a diesel scoop, the preparation plant computer, a dust hole and maintenance barn.	\$337,000	\$2,105,000
01-48336	Preparation Plant Upgrades - Wabash Mine Wabash will replace various systems in the preparation plant in order to improve plant mechanical availability and plant yield.	\$34,200	\$171,000
02-48332	2002 Belt Upgrade and Roof Control Project Wabash will be upgrading their existing beltline, primarily lending to Western Reserve area and for both primary and secondary roof support throughout the mine.	\$444,000	\$2,242,000
02-48333	2002 Equipment Rebuild and Replacement Grant application includes equipment rebuilds, replacements, and component exchanges. Equipment to be rebuilt include but not limited to Joy Continuous Miner, Roof bolter, Getman replacement, mantrip replacements, Volvo rebuild, feeder rebuild, etc. (see p2 or proposal).	\$287,000	\$2,630,000
02-48335	2002 Return Shaft Project Construct a return shaft and fan required for the proper ventilation of the Western reserve area containing 30 million tons of recoverable coal. Project allows for the ventilation needed for dual split vents on production units.	\$600,000	\$5,454,000
03-48321	2003 Belt Upgrade and Roof-Control Project Upgrading existing beltline primarily leading to the Western Reserve area and for both primary and secondary roof support throughout the entire mine.	\$710,000	\$3,982,000
03-48322	2003 Equipment Rebuild and Replacement Wabash proposes the repair of CLA replacement, 4 man-trip replacements, 6 new battery ram cars, 2 continuous miners, rebuild 6 diesel ram cars, and major repairs to the preparation plant.	\$455,000	\$4,965,000
04-48320	2004 Equipment Rebuild and Replacement Project Project will allow for replacement, and in some cases rebuilding, of underground mining equipment in order to improve productivity above current levels.	\$500,000	\$5,022,000
04-48321	2004 Belt Upgrade and Roof Control Project The beltline upgrade will consist of replacing hydraulic take-up units, installation of fluid couplings on drive units, and replacing aged conveyor structure as well as worn out belts. The roof control upgrade will utilize various length of roof bolts and rib supports to ensure mine safety to passageways, roadways, and airways. This is vital to mine production since it already has a history of roof falls.	\$571,000	\$2,855,000

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05-48312	2005 Equipment Replacement Purchase of new Battery Ram cars, 6 Mantrip Replacements, new Slope belt (5500 foot long), and 250 new SCSR units.	\$225,200	\$2,252,000
05-48313	2005 Belt Upgrade and Roof Control Replacement of various worn out belts and conveyance structure accessing the mainline conveyor along with roof control in the Western Reserve. Six miles of belt replacement is scheduled enabling the mine to recover 30 million tons in the Western Reserve.	\$675,000	\$3,375,000
05-48325	2005 Equipment Rebuild Rebuilds are necessary to continue the three production units to meet current levels of production. Rebuilds include 2 continuous miners, a bolter, battery scoop, diesel scoop, tow tractor, and component replacements.	\$300,000	\$3,000,000
06-483015	2006 New Slope and Overland Conveyor Phase 1 of a 3 phase project calls for slope construction, portal structure and running power to the project. This is part of a \$50 million project which will add 20 years to the life of the mine.	\$1,300,000	\$6,500,000
Western Fuels - Illinois, Inc.		\$1,450,000	\$32,300,000
01-48304	New Mine Development - No. 5 Seam Slope Project Brushy Creek will extend the existing man and material slope, from the No. 6 coal seam down to the No. 5 seam to serve as the man and material portal for the new No. 5 underground mine operation.	\$950,000	\$16,150,000
01-48312	New Mine Development - No. 5 Seam Shaft Project Brushy Creek will extend the existing air shaft from the No. 6 coal seam down to the No. 5 seam. This will allow the mine to reopen as an essentially new mine. The mine closed last year due to geologic problems in the No. 6 seam.	\$500,000	\$16,150,000
Western Kentucky Carbon Storage Foundation		\$250,000	\$7,000,000
09-483003	Carbon Dioxide (CO2) Injection Test Well Study Gather detailed CO2 sequestration data through a site characterization study, develop a detailed plan for drilling, refine a testing program based on drilling and logging data, and run injection models using core and log data from the new well. By sharing costs on \$7 million project with a non-profit carbon-storage foundation, Illinois will be able to obtain valuable data for prospective coal-facility developers at nearby So. Illinois sites.	\$250,000	\$7,000,000
White County Coal LLC		\$7,056,069	\$58,327,057
98-48302	Pattiki Mine Refuse Disposal Project Mapco will develop on site disposal of preparation plant reject, which will improve the operations economic security.	\$300,000	\$1,412,050
99-48329	Blended Coal Project Develop the capability to market a blended coal product from the Pattiki Mine.	\$228,700	\$1,143,360
00-48316	Pattiki - Mine II Access additional reserves through development of second production and support portals across the Herald-Phillipstown Fault.	\$950,000	\$10,790,746
01-48337	Reserve Expansion -Pattiki Mine II This project will allow White County Coal to access additional reserves through development of second production and support portals across the Herald-Phillipstown fault.	\$950,000	\$17,043,453

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02-48334	Pattiki - Mine II Development Project will allow access to additional reserves through development of second production and support portals across the Herald-Phillipstown fault.	\$950,000	\$9,155,509
02-48338	Vertical Belt Project Purchase belt and equipment, install in production shaft at new Pattiki Mine. Equipment installation will include belt take-ups, feeder, crusher and bin. A hoist house will enclose steel work, belt drives and chutes. Belt will be 830-ft. in length.	\$250,000	\$1,316,191
03-48323	Surface Infrastructure Project Project will allow Pattiki to finish the necessary steps in order to open the new mine. Project includes erecting a bathhouse, head frame, hoist and ventilation shaft, upgrade to preparation plant.	\$950,000	\$5,028,873
03-48335	Rail Loop Refuse Disposal Project Project will provide disposal of solid coal waste on site inside the rail loop. The refuse will be transported by conveyor between the preparation plant and the pit. An LGP dozer will remove the material around the pit.	\$402,968	\$2,014,839
04-48322	Mine Decanting Project Project will allow for plans to decant water from old mine works eliminating water accumulation within the old works. By creating this void space, fine slurry from the wash plant will be able to pumped underground into the old works.	\$39,910	\$199,550
04-48323	Raw Coal Reclamation Project Project will allow mine to reclaim raw coal directly into the coal preparation plant. It includes a new feeder, head drive equipment and electrical equipment. Modifications will be made to the discharge chute and transfer point.	\$52,399	\$261,996
04-48324	Super Miner Section Equipment Upgrade Add 2 super mining units, perform ventilation modifications, purchase 4 shuttle cars, and modify 2 continuous miners. Portable electric centers will be modified to allow continuous miners to operate concurrently.	\$148,626	\$743,128
04-48325	Rail Scales Project Purchase of scales to be installed at rail loadout.	\$64,716	\$323,582
05-48314	Bunker Belt Coal Surge Storage Project Project consists of purchasing the belt, structure ;excavating an area to house the bunker belt; installation of the belt transfer point and electronic controls; engineering and design; and fabrications of components.	\$121,000	\$605,000
05-48315	Oil Well Plugging Project Project will consist of purchasing rig time, cementing services, and earth work. Selected idle operating oil wells will be purchased with intent to plug.	\$120,000	\$650,000
05-48326	Synchronous Miner Section Equipment Project Project consists of purchasing 2 new continuous miners.	\$340,200	\$1,701,000
06-483016	New Mains Equipment Project Project consists of engineering and design, purchase of conveyor belt and structure, head drives, electric motors, high voltage lines, sub-stations, and a water line.	\$361,750	\$1,808,750
06-483017	Slurry Bore Holes Project Two bore holes will be drilled which will be used to pump coal refuse slurry from the prep plant underground into old works. The slurry disposal consist of drilling holes, purchasing cement, pipes and injection equipment to carry the slurry underground.	\$100,000	\$500,030
07-483028	Variable Frequency Drive Shuttle Cars Project Project will purchase 12 Variable Frequency Drive shuttle cars.	\$725,800	\$3,629,000

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Williamson Energy, LLC		\$950,000	\$8,737,719
06-483018	Pond Creek #1 Shaft and Slope Development Pond Creek # 1 will be blind drilling a 16' ventilation shaft, raised boring an 18' ventilation shaft and developing a 3400 slope entrance to the mine.	\$950,000	\$8,737,719
Total of All Grants		\$167,343,237	\$2,100,859,315