BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PRAIRIE RIVERS NETWORK and SIERRA CLUB,

Petitioners,

٧.

PCB 13-21 (Third Party NPDES Permit Appeal)

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY and PEABODY GATEWAY NORTH MINING, LLC,

Respondents.

NOTICE OF FILING

To: See Attached Certificate of Service

PLEASE TAKE NOTICE that on February 20, 2013, we electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the attached Appearance of Jessica Mitchell Wicha and Withdrawal of Appearance of Sasha M. Reyes on behalf of Peabody Gateway North Mining, LLC, copies of which are attached hereto and hereby served upon you.

Dated: February 20, 2013

John Watson Jessica Mitchell Wicha BAKER & McKENZIE LLP 300 East Randolph Street Suite 5000 Chicago, IL 60601 312-861-8000

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PRAIRIE RIVERS NETWORK and SIERRA CLUB,

Petitioners,

v.

PCB 13-21 (Third Party NPDES Permit Appeal)

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY and PEABODY GATEWAY NORTH MINING, LLC,

Respondents.

APPEARANCE

I hereby file my appearance in this proceeding on behalf of Peabody Gateway North Mining, LLC.

Dated: February 20, 2013

Jessica Mitchell Wicha BAKER & McKENZIE LLP 300 East Randolph Street Suite 5000 Chicago, IL 60601 312-861-8000

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PRAIRIE RIVERS NETWORK and SIERRA CLUB,

Petitioners,

v.

PCB 13-21 (Third Party NPDES Permit Appeal)

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY and PEABODY GATEWAY NORTH MINING, LLC,

Respondents.

WITHDRAWAL OF APPEARANCE

I hereby withdraw my appearance in this proceeding on behalf of Peabody Gateway North Mining, LLC.

Dated: February 20, 2013

Sasha M. Reyes BAKER & McKENZIE LLP 300 East Randolph Street Suite 5000 Chicago, IL 60601 312-861-8000

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Appearance of Jessica Mitchell Wicha and Withdrawal of Appearance of Sasha M. Reyes on behalf of Peabody Gateway North Mining, LLC were served on this 20th day of February, 2013,

Upon the following electronically:

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

And upon the following by U.S. First Class Mail:

Carol Webb Hearing Officer Illinois Pollution Control Board 1021 North Grand Avenue East P.O. Box 19274 Springfield, IL 62794-9274

Division of Legal Counsel Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276 Michael D. Mankowski Office of the Attorney General Environmental Bureau 500 South Second Street Springfield, IL 62706

Jessica Dexter Environmental Law & Policy Center 35 E. Wacker Drive Suite 1600 Chicago, IL 60601

Jessica Mitchell Wicha