

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:

PEOPLE OF THE STATE OF)	
ILLINOIS,)	
)	
Complainant,)	
)	PCB 2010-061 and 2011-002
ENVIRONMENTAL LAW AND)	(Consolidated – Water –
POLICY CENTER, on behalf of PRAIRIE)	Enforcement)
RIVERS NETWORK and SIERRA CLUB,)	
ILLINOIS CHAPTER,)	
)	
Intervenor,)	
)	
v.)	
)	
FREEMAN UNITED COAL)	
MINING CO., L.L.C., and)	
SPRINGFIELD COAL COMPANY, L.L.C.,)	
)	
Respondents.)	

NOTICE OF DEPOSITION

To: Thomas H. Shepherd
Assistant Attorney General
Illinois Attorney General's
Office Environmental Bureau
69 W. Washington Street, Suite 1800 Chicago, IL 60602

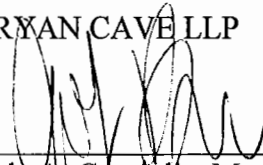
PLEASE TAKE NOTICE that Respondent Springfield Coal Company, LLC ("Springfield Coal"), pursuant to Rules 101.616 and 101.622 of the Illinois Pollution Control Board, and Rules 202 and 206(a)(1) of the Illinois Supreme Court Rules, shall take the discovery deposition of the Illinois Environmental Protection Agency ("IEPA"), by its designated representative(s) who is or are most qualified to testify on their behalf with respect to the subject matters identified in Exhibit A, attached hereto.

This deposition shall take place before a court reporter, Notary Public, or other official authorized to administer oaths, at the Illinois Environmental Protection Agency office, 1021 North Grand Ave E., Springfield, IL. The deposition shall be recorded stenographically and by videotape, and it shall commence on November 13, 2014, at 9:00 a.m., and continue through November 14, 2014, or thereafter until completed.

Dated: November 4, 2014

Respectfully submitted,

BRYAN CAVE LLP



Dale A. Guariglia, Mo. Bar #32988

Brian Sher, Illinois Bar # 6196964

John R. Kindschuh #6284933

Erin L. Brooks, Illinois Bar # 6311005

One Metropolitan Square

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St. Louis, MO 63102

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Attorneys for Springfield Coal Co., LLC

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ENVIRONMENTAL LAW AND)	PCB 2010-061 and 2011-002
)	Consolidated – Water – Enforcement
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POLICY CENTER, on behalf of PRAIRIE)	
RIVERS NETWORK and SIERRA CLUB,)	
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MINING CO., L.L.C., and)	
SPRINGFIELD COAL COMPANY, L.L.C.,)	
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Respondents.)	

NOTICE OF ELECTRONIC FILING

TO:

Thomas H. Shepherd
Assistant Attorney General
Environmental Bureau
69 W. Washington St., Suite 1800
Chicago, IL 60602

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

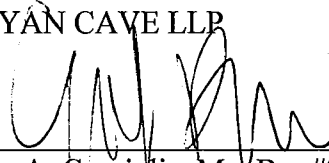
John Therriault, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph St., Suite 11-500
Chicago, IL 60601

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

Steven M. Siros
E. Lynn Grayson
Allison Torrence
Jenner & Block LLP
353 N. Clark Street
Chicago, IL 60654-3456

PLEASE TAKE NOTICE that on November 4, 2014, I electronically filed with the Clerk of the Pollution Control Board, Springfield Coal Co., LLC's Notice of Deposition to the Illinois Environmental Protection Agency, copies of which are herewith served upon you.

BRYAN CAVE LLP



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Attorneys for Springfield Coal Co., LLC

**EXHIBIT A TO NOTICE OF DEPOSITION
OF ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("IEPA")**

Subject Matters of Examination

1. IEPA's data, information, and records pertaining to Springfield Coal LLC ("Springfield Coal").
2. Springfield Coal's permits, including National Pollution Discharge Elimination System ("NPDES" permits), and applications for permits and renewals, for which IEPA has issuing authority.
3. IEPA's actions—or omissions—related to issuance, modification, and renewal of permits, including NPDES permits, to Springfield Coal.
4. Sampling data related to the Industry Mine, located in McDonough and Schuyler Counties.
5. Springfield Coal's mining practices at the Industry Mine.
6. The allegations contained in the February 10, 2010 Complaint, filed by the People of the State of Illinois in the case of *Illinois v. Freeman United Coal Mining Company, LLC and Springfield Coal Company, LLC*, PCB No. 10-61 ("PCB No. 10-61").
7. Enforcement actions brought against Springfield Coal or related companies either by IEPA or the Attorney General of the State of Illinois ("Attorney General").
8. The calculation of civil penalties that IEPA and/or the Attorney General have demanded against Springfield Coal in any enforcement action, including PCB No. 10-61.
9. Notices of violations sent to Springfield Coal from IEPA and all associated communications between IEPA and Springfield Coal related to an notices of violations.
10. Compliance commitment agreements proposed by Freeman United and all associated communications between IEPA and Freeman United and/or Springfield Coal related to any compliance commitment agreement proposal or final agreement.
11. The General Use water quality standard for sulfate and changes made to the General use water quality standard for sulfate in approximately 2007.
12. IEPA's determination and listing of impaired waters under Section 303(d) of the federal Clean Water Act, including reports submitted to and approved by the United States Environmental Protection Agency dated November 2004, June 2006, June 2008, December 2011, December 2012 and March 2014.