

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)

Complainant,)

ENVIORNMENTAL LAW AND POLICY CENTER,)
on behalf of PRAIRIE RIVERS NETWORK and)
SIERRA CLUB, ILLINOIS CHAPTER)

Intervenor,)

v.)

FREEMAN UNITED COAL MINING COMPANY,)
LLC, a Delaware limited liability company, and)
SPRINGFIELD COAL COMPANY, LLC, a Delaware)
limited liability company,)

Respondents.)

PCB 10-61 & 11-02
(Water – Enforcement)

ENVIRONMENTAL LAW AND POLICY CENTER,)
on behalf of PRAIRIE RIVERS NETWORK and)
SIERRA CLUB, ILLINOIS CHAPTER,)

Complainant,)

v.)

FREEMAN UNITED COAL MINING CO., and)
SPRINGFIELD COAL CO., LLC,)

Respondents)

NOTICE OF ELECTRONIC FILING

To: See attached Service List

PLEASE TAKE NOTICE that on November 17, 2014, I electronically filed with the Clerk for the Illinois Pollution Control Board the following People’s Rule 213(f)(1) Witness Disclosures, a copy of which is attached hereto.

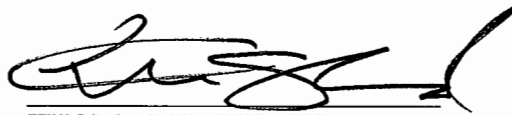
Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,

LISA MADIGAN,
Attorney General of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

By:



THOMAS H. SHEPHERD
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Environmental Bureau
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DATE: November 17, 2014

THIS FILING IS SUBMITTED ON RECYCLED PAPER

SERVICE LIST

PCB 10-61 & 11-02

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Hearing Officer
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THE PEOPLE’S RULE 213(f)(1) WITNESS DISCLOSURES

Complainant, PEOPLE OF THE STATE OF ILLINOIS (“People”), by its attorney, LISA MADIGAN, Attorney General of the State of Illinois, hereby furnishes, pursuant to Illinois Supreme Court Rule 213(f)(1), the identities and addresses of witnesses who will testify at trial and identifies the subjects on which each witness will testify.

The People state that based on information in their possession at this time, they intend to call the following witnesses:

1. Larry Crislip
Manager, Permit Section
Bureau of Water Mine Pollution Control Program
Illinois Environmental Protection Agency ("Illinois EPA")
2309 W. Main Street
Marion, IL 62959

Mr. Crislip is expected to testify in support of the violations alleged in the People's Complaint. Mr. Crislip is also expected to testify as to the terms and conditions of the NPDES permits issued for the Industry Mine ("NPDES Permits") and communications between the Illinois EPA and the Respondents regarding the terms of the NPDES Permits. In addition, Mr. Crislip is expected to testify about documents and correspondence submitted by the Respondents to the Illinois EPA. Mr. Crislip may be contacted through the People's counsel. The People's investigation in this matter is continuing, and the People reserve the right to further supplement and update the extent of Mr. Crislip's testimony.

2. Bob Kerr
Environmental Protection Engineer III (retired)
Illinois EPA
1021 North Grand Avenue East
Springfield, Illinois 62794

Mr. Kerr is expected to testify in support of the violations alleged in the People's Complaint. Mr. Kerr is also expected to testify about the terms and conditions in the NPDES Permits. In addition, Mr. Kerr is expected to testify about documents and correspondence submitted by the Respondents to the Illinois EPA. Mr. Kerr may be contacted through the People's counsel. The People's investigation in this matter is continuing, and the People reserve the right to further supplement and update the extent of Mr. Kerr's testimony.

3. Thomas Reuter
Records Officer
Illinois EPA
1021 North Grand Avenue East
Springfield, Illinois 62794

Mr. Reuter is expected to testify as to the authentication of official Illinois EPA records.

Mr. Reuter may be contacted through the People's counsel.

4. Tom Austin, Vice President of Springfield Coal Company, LLC ("Springfield Coal"). Mr. Austin is expected to testify about the operation of the Industry Mine, the terms and conditions in the NPDES Permits, communications with Illinois government agencies ("State"), actions taken or contemplated at the Industry Mine to comply with the NPDES Permits, environmental conditions at the Industry Mine, and the violations alleged in the People's Complaint. In addition, Mr. Austin is expected to testify about the matters set forth in his affidavit submitted in support of the Springfield Coal Company, LLC's Response to the People of the State of Illinois' Motion for Partial Summary Judgment.

5. Mike Caldwell, Chief Operating Officer of Springfield Coal and former employee of Freeman United Coal Mining Company, LLC ("Freeman united"). Mr. Caldwell is expected to testify about the operation of the Industry Mine, the terms and conditions in the NPDES Permits, communications with the State, actions taken or contemplated at the Industry Mine to comply with the NPDES Permits, environmental conditions at the Industry Mine, and the violations alleged in the People's Complaint.

6. Craig Schoonover, P.E., Environmental Engineer for Springfield Coal and former employee of Freeman United. Mr. Schoonover is expected to testify about the operation of the Industry Mine, the terms and conditions in the NPDES Permits, communications with the State, actions taken or contemplated at the Industry Mine to comply with the NPDES Permits,

environmental conditions at the Industry Mine, and the violations alleged in the People's Complaint.

7. Corey Schoonover, P.E., Environmental Engineer for Springfield Coal. Mr. Schoonover is expected to testify about the operation of the Industry Mine, the terms and conditions in the NPDES Permits, communications with the State, actions taken or contemplated at the Industry Mine to comply with the NPDES Permits, environmental conditions at the Industry Mine, and the violations alleged in the People's Complaint.

8. Steve Phifer, P.E., Environmental Engineer for Springfield Coal and former employee of Freeman United. Mr. Phifer is expected to testify about the operation of the Industry Mine, the terms and conditions in the NPDES Permits, communications with the State, actions taken or contemplated at the Industry Mine to comply with the NPDES Permits, environmental conditions at the Industry Mine, and the violations alleged in the People's Complaint.

9. Greg Arnett, P.E., Environmental Engineer for Springfield Coal and former employee of Freeman United. Mr. Arnett is expected to testify about the operation of the Industry Mine, the terms and conditions in the NPDES Permits, communications with the State, actions taken or contemplated at the Industry Mine to comply with the NPDES Permits, environmental conditions at the Industry Mine, and the violations alleged in the People's Complaint.

10. Brian Veldhuizen, Chief Executive Officer of Springfield Coal. Mr. Veldhuizen is expected to testify about the operation of the Industry Mine, the terms and conditions in the NPDES Permits, communications with the State, actions taken or contemplated at the Industry

Mine to comply with the NPDES Permits, environmental conditions at the Industry Mine, and the violations alleged in the People's Complaint.

11. Andrew Ditch, former environmental engineer of Springfield Coal. Mr. Ditch is expected to testify about the operation of the Industry Mine, the terms and conditions in the NPDES Permits, communications with the State, actions taken or contemplated at the Industry Mine to comply with the NPDES Permits, environmental conditions at the Industry Mine, and the violations alleged in the People's Complaint.

12. Chuck Hilyer, contract worker of Springfield Coal. Mr. Hilyer is expected to testify about the operation of the Industry Mine, the terms and conditions in the NPDES Permits, communications with the State, actions taken or contemplated at the Industry Mine to comply with the NPDES Permits, environmental conditions at the Industry Mine, and the violations alleged in the People's Complaint.

13. Steven M. Bishoff, P.E., RAPPS Engineering & Applied Science. Mr. Bishoff is expected to testify as to the operation of the Industry Mine. Mr. Bishoff is also expected to testify about communications with the State regarding the operation of the Industry Mine. In addition, Mr. Bishoff is expected to testify about correspondence and documents submitted to the Illinois EPA pertaining to the terms and conditions of the NPDES permits issued for the Industry Mine. Mr. Bishoff is also expected to testify about the environmental conditions at the Industry Mine and the violations alleged in the People's Complaint.

14. As yet unidentified current and former personnel of Springfield Coal Company LLC. The People may call as yet unidentified witnesses, who will be expected to testify about the operation of the Industry Mine, the terms and conditions in the NPDES Permits, communications with the State, actions taken or contemplated at the Industry Mine to comply

with the NPDES Permits, environmental conditions at the Industry Mine, and the violations alleged in the People's Complaint.

15. As yet unidentified current and former personnel of Freeman United Coal Mining Company, LLC. The People may call as yet unidentified witnesses, who will be expected to testify about the operation of the Industry Mine, the terms and conditions in the NPDES Permits, communications with the State, actions taken or contemplated at the Industry Mine to comply with the NPDES Permits, environmental conditions at the Industry Mine, and the violations alleged in the People's Complaint.

16. As yet unidentified current and former personnel of RAPPS Engineering & Applied Science. The People may call as yet unidentified witnesses, who will be expected to testify about the operation of the Industry Mine, communications with the State regarding the operation of the Industry Mine, correspondence and documents submitted to the Illinois EPA pertaining to the terms and conditions of the NPDES permits issued for the Industry Mine, the environmental conditions at the Industry Mine, and the violations alleged in the People's Complaint.

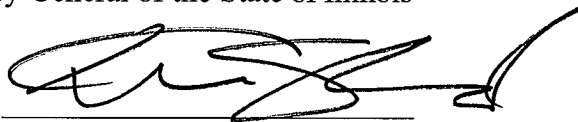
17. Rebuttal Witnesses. The People intend to call rebuttal witnesses at trial as necessary.

The People further state that their investigation continues and that they reserve the right to supplement their response to this Interrogatory and the disclosure of lay witnesses and the subjects on which each witness will testify as additional information becomes available after conducting depositions and/or receiving Respondents' initial and supplemental discovery responses.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
by LISA MADIGAN,
Attorney General of the State of Illinois

By:

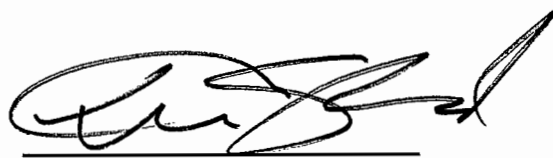


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DATED: November 17, 2014

CERTIFICATE OF SERVICE

I, THOMAS H. SHEPHERD, do certify that I caused the attached Notice of Filing and the People's Rule 213(f)(1) Witness Disclosures to be served this 17th day of November, 2014, upon the persons listed on the attached Service List, by electronic mail and by depositing true and correct copies of same in an envelope, certified mail postage prepaid, with the United States Postal Service located at 100 West Randolph Street, Chicago, Illinois 60601, at or before the hour of 5:00 p.m.

A handwritten signature in black ink, appearing to read 'T. H. Shepherd', written over a horizontal line.

THOMAS H. SHEPHERD