

Illinois Environmental Protection Agency (IEPA)
Notice of Water Discharge Permit Public Hearing

PEABODY ARCLAR MINING, L.L.C.
Wildcat Hills Mine (Cottage Grove Pit/Wildcat UG) and
Willow Lake Mine

Public Hearing

Thursday, September 15, 2011

**NPDES Permit Hearing at 5 p.m. will be followed by the 401 Water Quality
Certification Hearing beginning at approximately 7 p.m.**

SIC Foundation Center
540 North Commercial Street (U.S. Route 45)
Harrisburg, Illinois

The IEPA Bureau of Water has prepared a draft renewal and modified National Pollutant Discharge Elimination System (NPDES) permit for Peabody Arclar Mining, L.L.C. for Wildcat Hills (Cottage Grove Pit/Wildcat UG) and Willow Lake Mine. The address of the discharger is Peabody Arclar Mining, L.L.C., 7100 Eagle Crest Boulevard, Suite 100, Evansville, Indiana. The facility is located in Gallatin and Saline counties, one mile north of Equality, Illinois, at 12250 McClain Road, Equality, Illinois.

The NPDES permit will cover the Wildcat Hills Mine Cottage Grove Pit and the adjoining Willow Lake Mine. These coal mines have combined operations and have numerous sedimentation pond outfalls. The renewed permit would incorporate Office of Mines and Minerals Permit No. 415 to make a total mine area of 6889 acres. Through continued mining at the site, new sedimentation ponds will be created resulting in six new outfalls (028 – 033). Existing outfall 020 will have an expanded catchment area. Additionally, the renewed permit would recognize the name change of the applicant and includes revised permit limits for Outfall 001 to reflect upstream discharges from Outfall 033. This permit would authorize discharges into unnamed tributaries of the Saline River, of the North Fork and Middle Fork Saline River, of Cockerel Branch, and of Rocky Branch as well as direct discharges into the North Fork Saline River and Cockerel Branch.

All of the unnamed tributaries receiving discharges are zero 7Q10 flow, General Use waters. Many of these streams are channelized ditches according to the USGS topographic maps. The unnamed

tributaries have small watersheds, all less than five square miles. None of the unnamed tributaries have been assessed by the Agency and therefore are not listed in the Illinois Integrated Water Quality Report and Section 303(d) List – draft 2010 version.

The Saline River (AT-05) is listed as impaired for aquatic life uses for Alteration in stream-side or littoral vegetative covers, Boron, Manganese, and Loss of in-stream cover. The North Fork Saline River (ATF-06) is listed as impaired for aquatic life uses for Alteration in stream-side or littoral vegetative covers and Loss of in-stream cover. The Middle Fork Saline River (ATG-03) is listed as impaired for aquatic life uses for Alteration in stream-side or littoral vegetative covers, Sedimentation/Siltation, Total Suspended Solids, Phosphorus (Total), Aquatic Plants (Macrophytes), and Changes in Stream Depth and Velocity Patterns. Neither Cockerel Branch nor Rocky Branch (ATZB) are listed on the draft 2010 Section 303(d) List.

The IEPA has made a tentative determination to issue this NPDES permit for discharge into waters of the state in accordance with 35 Illinois Administrative Code Subtitle C (*Water Pollution*), Subtitle D (*Mine Related Water Pollution*), the Illinois Environmental Protection Act and the federal Clean Water Act.

A copy of the draft modified and reissued NPDES permit and the public notice/fact sheet which contains the antidegradation assessment can be viewed on the IEPA website:

<http://www.epa.state.il.us/public-notices/npdes-notices.html#peabody-arclar-wildcat-mine>.

The draft permit, public notice/fact sheet, the regulations governing the conduct of the hearing and other documents can be reviewed and copied at the Illinois EPA, 1021 N. Grand Avenue East, Springfield, Illinois; 217-782-0610. Please call ahead for an appointment.

Inquiries about the draft modified and reissued permit IL0073351 should be directed to Larry Crislip, Manager, Permit Section, IEPA Mine Pollution Control Program, 2309 W. Main St., Marion, IL, 618-993-7200, e-mail Larry.Crislip@Illinois.gov.

The hearing will be held under the provisions of 35 Illinois Administrative Code 166, *Procedures for Permit and Closure Plan Hearings*, which can be obtained online at <http://www.ipcb.state.il.us/documents/dsweb/Get/Document-11865>.

The hearing will be conducted in accordance with provisions of Sections 309.115 through 309.119. Requests for special needs interpreters must be made to the IEPA hearing officer by August 29, 2011.

The hearing record is a file containing the hearing transcript and written comments. **Written comments must be postmarked or e-mailed by midnight, October 6, 2011, when the hearing record closes** (e-mails must be sent to epa.publichearingcom@illinois.gov and should specify Peabody Arclar NPDES in subject line). The IEPA welcomes substantive written comments. Comments need not be notarized and should be sent to:

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E-mail Dean.Studer@Illinois.gov

TDD (hearing impaired) 217-782-9143