

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

**Capital Resources Development
Company, L.L.C.
North Canton Mine**

Public Hearing

Tuesday, December 6, 2011

**NPDES Permit Hearing at 5 p.m. will be followed by the 401 Water Quality
Certification Hearing beginning at approximately 7:30 p.m.**

**Donaldson Center
250 South Avenue D
Canton, Illinois**

The IEPA Bureau of Water has prepared a draft National Pollutant Discharge Elimination System (NPDES) permit for Capital Resources Development Company, L.L.C. for North Canton Mine. The address of the discharger is Capital Resources Development Company, L.L.C., PO Box 9478, Springfield, IL. 62711. The facility is located in Fulton County, three miles northeast of Canton, Illinois, at P.O. Box 97, Canton, Illinois.

An application for an NPDES permit for storm related discharges of wastewater from a 1,084.5 acre mine site has been received. Six operational outfalls from sedimentation ponds are proposed. Two of the outfalls (001 and 002) will discharge directly, via short effluent ditches, to the Middle Branch of Copperas Creek. These two outfalls will contain all disturbed area runoff. The other four outfalls will discharge to the West Branch Copperas Creek, however, only runoff from undisturbed or reclaimed areas will drain to these sedimentation ponds. Materials used in this review were obtained from the applicant under covers dated May 11, 2010, Antidegradation Assessment North Canton Mine and No Net Loading Demonstration West Branch Copperas Creek North Canton Mine by Rapps Engineering & Applied Science, and August 21, 2010, Stream Bioassessment Canton Mine, West Branch Copperas Creek and Middle Branch Copperas Creed by Northwater Consulting.

The Middle Branch of Copperas Creek (segment DZHAB) has a 7Q10 flow of zero cfs and is a General Use water. As it leaves the mine site, the stream has a watershed area of approximately 12.3 square miles. The stream is not listed on the Illinois Integrated Water Quality Report and Section 303(d) List – 2010 (draft). The stream is not listed as biologically significant stream in the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*, nor is it given an integrity rating. The stream is not an enhanced water body pursuant to the dissolved oxygen water quality standard. The IDNR WIRT system lists no threatened or endangered species as inhabiting the receiving stream. The same information applies for the West Branch

Copperas Creek. The West Branch Copperas Creek (segment DZHA) feeds Canton Lake approximately 2.5 miles below the outfalls. At the downstream end of the mine site the watershed size is 6.5 square miles. Canton Lake is listed as impaired for fish consumption, public water supply and aesthetic quality uses on the Illinois Integrated Water Quality Report and Section 303(d) List – 2010 (draft). The causes of impairment are given as mercury, manganese, total dissolved solids, total suspended solids, aquatic plants (macrophytes) and aquatic algae. The WIRT system lists no endangered species from Canton Lake.

The Northwater stream survey report cited above gives the results of a macroinvertebrate and fish study conducted on each receiving stream in July 2010. The streams had similar macroinvertebrate populations in the “fair” range. Fish populations were typical of small streams with the Middle Branch having a few more species, in keeping with its larger watershed. No threatened or endangered species were found. Physical attributes of the streams were also reported in this document. The streams are typical small, zero 7Q10 flow west central Illinois streams. Chemical data from the streams is reported in the antidegradation assessment document cited above. This data is used to determine sulfate limits for the permit and is also typical for this size and type of stream.

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 and other documents for this proceeding can be viewed on the IEPA website: <http://www.epa.state.il.us/public-notices/npdes-notices.html#north-canton-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 November 14, 2011.

The hearing record is a file containing the hearing transcript and written comments. **Written comments must be postmarked or e-mailed by midnight, January 5, 2012, when the hearing record closes** (e-mails must be sent to epa.publichearingcom@illinois.gov and should specify Capital Resources Development Company NPDES in subject line). The IEPA welcomes substantive written comments. Comments need not be notarized and should be sent to:

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TDD (hearing impaired) 217-782-9143