NPDES Permit No. IL0048071
Notice No. 6457c

Public Notice Beginning Date: **May 8, 2013**

Public Notice Ending Date: **June 7, 2013**

National Pollutant Discharge Elimination System (NPDES)
Permit Program

Draft Modified NPDES Permit to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency
Bureau of Water, Division of Water Pollution Control
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-0610

Name and Address of Discharger:

Eagle River Coal, L.L.C.
P.O. Box 444
Harrisburg, Illinois 62946

Name and Address of Facility:

Eagle River Coal, L.L.C.
Mine No. 1
1.0 mile north of Mitchellsville, Illinois
(Saline County)

The Illinois Environmental Protection Agency (IEPA) has made a tentative determination to issue an NPDES permit to discharge into waters of the state and has prepared a draft permit and associated fact sheet for the above named discharger. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice/Fact Sheet. Comments will be accepted until the Public Notice period ending date indicated above, unless a request for an extension of the original comment period is granted by the Agency. Interested persons are invited to submit written comments on the draft permit to the IEPA at the above address. Commentors shall provide his or her name and address and the nature of the issues proposed to be raised and the evidence proposed to be presented with regards to those issues. Commentors may include a request for public hearing. The NPDES permit and notice number(s) must appear on each comment page.

The application, engineer's review notes, Public Notice/Fact Sheet, draft permit, comments received, and other documents are available for inspection and may be copied at the IEPA between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

As provided in Section 309.115(a) of the Act, any person may submit a request for a public hearing and if such written comments or requests indicate a significant degree of public interest in the draft permit, the permitting authority may, at its discretion, hold a public hearing. The Agency shall issue public notice of such hearing no less than thirty (30) days prior to the date of such hearing in the manner described by Sections 309.109 through 309.112 of the Act for public notice. The Agency's responses to written and/or oral comments will be provided in the Responsiveness Summary provided when the final permit is issued.

The applicant operates an existing surface coal mine (SIC 1221). Mine operations result in the discharge of alkaline mine drainage.

Public comments are invited on the following proposed modifications. Please limit comments to only the following modifications that are further discussed on Pages 15 through 17 of this Permit:

Incorporate additional permit area of 370.0 acres identified as OMM Permit No. 425 area. This additional area includes two (2) new discharges identified as Outfalls 005 and 007.

Minor operations plan additions and updates.

Three additional groundwater monitoring wells identified as Well Nos. MW-4, MW-5 and MW-6.

This facility has four (4) existing discharges which are located in Saline County, Illinois. The following information identifies the discharge points, receiving streams, and outfall locations:

Outfall	Receiving Stream	Latitude (North)	Longitude (West)
001	Unnamed tributary to South Fork Saline River	37° 39' 56.3"	88° 32' 9.8"
002	Unnamed tributary to South Fork Saline River	37° 39' 32.2"	88° 31' 54.2"
003	Unnamed tributary to South Fork Saline River	37° 39' 39.2"	88° 31' 33.9"
004	Unnamed tributary to South Fork Saline River	37° 39' 51.9"	88° 31' 20.6"

Application is made for two (2) new discharges which are located in Saline, Illinois. The following information identifies the discharge points, receiving streams and outfall locations:

Outfall	Receiving Stream	Latitude (North)	Longitude (West)
005	Unnamed tributary to South Fork Saline River	37° 40' 02"	88° 32' 11"
007	Unnamed tributary to South Fork Saline River	37° 39' 46"	88° 31' 20"

The stream segment ATH13 of South Fork Saline River receiving the flow from the unnamed tributaries into which Outfalls 001, 002, 003, 004, 005 and 007 discharge is on the draft 2012 303(d) list of impaired waters. The following parameters have been identified as the pollutants causing impairment:

Outfall	Potential Causes
001, 002, 003, 004	Manganese, pH
005, 007	Alteration in stream-side or Littoral vegetative cover

The alkaline mine discharge from this facility shall be monitored and limited at all times as follows:

Outfall: 001, 005, 007

Discharge Condition	Parameters														
	Total Suspended Solids (mg/l) (3)		Iron (total) (mg/l) (3), (4)		pH** (S.U.) (3)	Alkalinity/ Acidity (3)	Sulfate (mg/l) (1)	Chloride (mg/l) (6)	Mn (total) (mg/l) (6)	Manganese (total) (mg/l.) (7)		Hardness (5)	Mercury See Special Condition No. 15	Flow (MGD)	Settleable Solids (ml/l) (2)
	30 day average	daily maximum	30 day average	daily maximum						30 day average	daily maximum				
I	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1654	500	1.0	2.0	4.0	Monitor only	Monitor Only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	1654	500	-	-	-	Monitor only	-	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	1654	500	-	-	-	Monitor only	-	Measure When Sampling	-
IV	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1654	500	1.0	2.0	4.0	Monitor only	Monitor only	Measure When Sampling	-

I Dry weather discharge (base flow or mine pumpage) from the outfall.

II In accordance with 35 Ill. Adm. Code 406.110(a), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24 hour precipitation event (or snowmelt or equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b). The 10-year, 24-hour precipitation event for this area is considered to be 4.8 inches.

III In accordance with 35 Ill. Adm. Code 406.110(d), any discharge or increase in volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b).

IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For outfalls which have no allowed mixing, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.

(1) Sulfate water quality standards and effluent limitations determined in accordance with 35 Ill. Adm. Code 302.208(h).
(2) Settleable solids are monitored only as a result of a discharge due to precipitation events which exceed a predetermined 24-hour duration or snowmelt total. Settleable solids effluent limitations for alkaline mine discharges are contained in 35 Ill. Adm. Code 406.110.
(3) Effluent standards for mine discharges are contained in 35 Ill. Adm. Code 406.106.
(4) Discharges from Outfall 001, being approved after July 27, 1987, are subject to a 30-day average effluent limitation for Iron of 3.0 mg/l. Daily maximum effluent concentrations are calculated as twice the 30-day average.
(5) Hardness monitoring is required to determine the appropriateness of the sulfate permit limit.
(6) Current Manganese water quality standards are contained in 35 Ill. Adm. Code 302.208.
(7) Upon approval by USEPA of the Illinois Pollution Control Board's newly adopted Manganese Water Quality Standard in R-2011-18, discharges from Outfall 001 are subject to the technology based effluent limitations of 2.0 mg./l. (monthly average) and 4.0 mg./l/ (daily maximum), pursuant to 35 Ill. Adm. Code 406.106.

The alkaline mine discharge from this facility shall be monitored and limited at all times as follows:

Outfalls: 002, 003, 004

Discharge Condition	Parameters													
	Total Suspended Solids (mg/l) (3)		Iron (total) (mg/l) (3), (4)		pH** (S.U.) (3)	Alkalinity/ Acidity (3)	Sulfate (mg/l) (1)	Chloride (mg/l) (6)	Mn (total) (mg/l) (6)	Manganese (total) (mg/l.) (7)		Hardness (5)	Flow (MGD)	Settleable Solids (ml/l) (2)
	30 day average	daily maximum	30 day average	daily maximum						30 day average	daily maximum			
I	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1654	500	1.0	2.0	4.0	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	1654	500	-	-	-	Monitor only	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	1654	500	-	-	-	Monitor only	Measure When Sampling	-
IV	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1654	500	1.0	2.0	4.0	Monitor only	Measure When Sampling	-

I Dry weather discharge (base flow or mine pumpage) from the outfall.

II In accordance with 35 Ill. Adm. Code 406.110(a), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24 hour precipitation event (or snowmelt or equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b). The 10-year, 24-hour precipitation event for this area is considered to be 4.8 inches.

III In accordance with 35 Ill. Adm. Code 406.110(d), any discharge or increase in volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b).

IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For outfalls which have no allowed mixing, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.

(1) Sulfate water quality standards and effluent limitations determined in accordance with 35 Ill. Adm. Code 302.208(h).
(2) Settleable solids are monitored only as a result of a discharge due to precipitation events which exceed a predetermined 24-hour duration or snowmelt total. Settleable solids effluent limitations for alkaline mine discharges are contained in 35 Ill. Adm. Code 406.110.
(3) Effluent standards for mine discharges are contained in 35 Ill. Adm. Code 406.106.
(4) Discharges from Outfall 002, 003, 004, 005, 007, being approved after July 27, 1987, are subject to a 30-day average effluent limitation for Iron of 3.0 mg/l. Daily maximum effluent concentrations are calculated as twice the 30-day average.
(5) Hardness monitoring is required to determine the appropriateness of the sulfate permit limit.
(6) Current Manganese water quality standards are contained in 35 Ill. Adm. Code 302.208.
(7) Upon approval by USEPA of the Illinois Pollution Control Board's newly adopted Manganese Water Quality Standard in R-2011-18, discharges from Outfalls 002, 003, 004, 005, and 007 are subject to the technology based effluent limitations of 2.0 mg./l. (monthly average) and 4.0 mg./l/ (daily maximum), pursuant to 35 Ill. Adm. Code 406.106.

To assist you in identifying the location of the discharges, please refer to the attached map. The permit area for this facility is located in Sections 10 and 11, Township 10 South, Range 6 East, 3rd P.M., all located in Saline County, Illinois.

Antidegradation Assessment
Eagle River Coal, LLC
Mine No. 1
NPDES Permit No. IL0048071

Surface coal mining will be expanded at an existing mine. The mine was formerly known as Jader Mine #1. An application for an NPDES permit for storm related and dry weather discharges of wastewater from a 593 acre mine site has been received. Three new outfalls from sedimentation ponds are proposed. Outfalls 005 and 007 will consist of pond overflow from runoff from disturbed land and from pit pumpage. Another new outfall, 008, will discharge tributary to Outfall 007 and as such will not be further considered in this analysis. Additionally, some runoff and pit pumpage from the new mined area will report to basins 001 or 002 during the period before sedimentation pond 005 is constructed. A large final cut lake on the mine site that was created during previous mining will be drained into pond 007 as a result of the new mining plan. The applicant has stated that effluents will meet all water quality standards at end-of-pipe. No coal combustion waste will be deposited at this mine. Information used in this review was obtained from the applicant in a document entitled Antidegradation Assessment, Eagle River Mine, Saline County, Illinois dated December 2012 and in subsequent correspondence.

Identification and Characterization of the Affected Water Body.

Outfall 005 will discharge to an unnamed tributary of the South Fork Saline River that has a 7Q10 flow of zero cfs. The unnamed tributary is a General Use water with no segment code. The unnamed tributary has not been assessed by Illinois EPA therefore is not listed as impaired in the draft 2012 Illinois Integrated Water Quality Report and Section 303(d) List. According to USGS Stream Stats, the unnamed tributary has a watershed area of 0.26 square miles. The South Fork Saline River proper is listed as impaired for aquatic life use in the draft 2012 Illinois Integrated Water Quality Report and Section 303(d) List. The potential causes of impairment are given as alteration is stream-side vegetative cover (non-pollutant), pH and manganese.

Outfall 007 will discharge to an unnamed old channel of the South Fork Saline River created when the river was channelized. The USGS topographic map shows the old channel as carrying an intermittent stream originating in the uplands above the channel. The intermittent stream flows to the South Fork Saline River. The channel has a 7Q10 flow of zero and has no segment code. The unnamed old channel of the South Fork saline River is a General Use water body. The unnamed old channel has not been assessed by Illinois EPA and therefore is not listed as impaired in the draft 2012 Illinois Integrated Water Quality Report and Section 303(d) List. According to USGS Stream Stats, the intermittent stream flowing through the old channel has a watershed area of 0.52 square miles.

Neither of the receiving waters is listed as a biologically significant stream in the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*, nor is either given an integrity rating. Neither receiving water is designated as an enhanced water pursuant to the dissolved oxygen water quality standard. Given the small watershed areas for these receiving waters no biological characterization was required. Illinois EPA is familiar with the aquatic life expected in water bodies of this nature.

Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses.

Suspended solids will be treated in the sedimentation ponds. Effluent discharged from these ponds will contain suspended solids loadings that are similar to those occurring from the land in its present use. Manganese loading may increase from existing levels. Sulfates and chlorides will also increase in loading to the receiving streams as a result of the mining activities. The new outfalls will have permit limits for these substances set equal to the water quality standards or effluent standards, whichever is more stringent. No adverse impacts on designated uses are anticipated.

Fate and Effect of Parameters Proposed for Increased Loading.

Suspended solids and manganese discharged will eventually be incorporated into bed sediments and will continue to move downstream. Sulfate and chloride will remain dissolved in the water and will move through the downstream continuum. Small amounts of these substances will be removed by organisms as these substances are necessary for life. No adverse impacts to the receiving waters will occur as all water quality standards will be met.

Purpose and Social & Economic Benefits of the Proposed Activity.

The surface mine will extract the coal resources of the site. According to information submitted by the applicant, continuing to operate the mine will maintain jobs for 50 miners and 25 other workers directly tied to the mines operation. The mine supplies local residents with an annual payroll of approximately $3.5 million. In addition, other local businesses would also benefit from the wealth created by the mine. Another 75 workers are predicted to be employed in indirect or induced jobs because of the mine. Local and state taxes will amount to approximately $1.4 million per year as a result of the mine.

Assessments of Alternatives for Less Increase in Loading or Minimal Environmental Degradation.

Stormwater control at coal mines is a matter of applying established best management practices. The final step in these practices involves sedimentation ponds to catch all runoff from the mine, settle out solids, provide a venue for pH adjustment if necessary and allow a controlled discharge of the effluent to the receiving stream. Prior steps involve the minimization of exposed earth and coal refuse to the elements. Alternatives to this system of prevention and treatment of pollutants have been evaluated by the mine company in the aforementioned Antidegradation document and are summarized as follows:

No discharge. Given the climate of Saline County, the mine company concludes that total containment and evaporation is not a viable option for disposal of the stormwater runoff mine effluent. Containing and re-using all of the effluent is not viable given that there are no users for this water available that would want water after storm events.

Discharge to POTW or Other Sources. The nearest POTW is Harrisburg, approximately seven miles away and the only entity in the area that could possibly receive the stormwater. POTWs are not designed to treat wastewaters containing dissolved substances such as chloride or sulfate. Capacity at the Harrisburg POTW would be insufficient to handle stormwater flows from the mine. This option is not feasible.

Treat water to eliminate pollutants. Given the inconsistent flows of effluents, facilities to treat the effluent for sulfate and chloride would be subject to large volumes for a few days per year and little or no effluent to treat for the remainder of the year. This has implications for sizing of the treatment facilities and maintenance of idled equipment that makes treatment for these substances infeasible. Additionally, each identified option has these or other drawbacks as described:

Filtration. Filtration will not remove dissolved substances, which are the primary potential pollutants present in sedimentation pond effluent.

Chemical Precipitation. Alkaline chemicals may be added to acid mine effluent to precipitate metals. The sludges produced must be disposed of and in some cases will contain hazardous materials added to the wastewater to attain precipitation. The chemistry of chemical precipitation does not lend itself to being turned on and off in relation to runoff events. The additives used require mining in their own right. The water discharged may contain these additives, such as aluminum, in elevated concentrations. Given that effluents from this mine are not predicted to be acid, insignificant amounts of metals will be present in the effluents in the first place. These drawbacks make chemical precipitation infeasible.

Ion Exchange. Ordinary ion exchange would produce a high strength waste water that would have to be disposed of offsite. The ion exchange equipment would not operate successfully with an intermittent runoff-related effluent stream such as that found at coal mines. These drawbacks make ion exchange infeasible for use at the coal mine.

Membrane Processes. Standard reverse osmosis (RO) treatment would not be feasible as it has high energy and maintenance requirements and produces a waste stream that must be disposed of offsite. Membrane systems would not be amenable to sudden surges in wastewater typical of stormwater runoff events because they have limited capacity and are not easily started after periods of no flow. For these reasons membrane processes would be infeasible for use at the coal mine.

Bioremediation. Anaerobic conditions must be maintained in wetlands for sulfate to be reduced by bacteria. Large wetlands would be required and treatment would be very hard to control. This method is not feasible for the conditions of intermittent flow present at this mine. Likewise, biological reactors must maintain bacteria under anaerobic conditions. The intermittent nature of the stormwater runoff effluent would also make this treatment infeasible as the bacteria would be difficult to maintain without a constant food supply. A bioreactor such as used in Champagne Creek, Idaho is not practical for Illinois because that system is a small volume continuously discharging low pH, high metals mine wastewater, not a large volume, intermittent, neutral pH and low metals mine wastewater proposed for Eagle River Mine.

Cost Effective Sulfate Removal (CESR) process. This is a proprietary technology that uses hydrated lime and proprietary chemicals to precipitate gypsum, metals and ettringite. Sludges would be produced that would require landfill disposal. The proprietary technology is still being developed. These drawbacks make the CESR process infeasible for use at the coal mine.

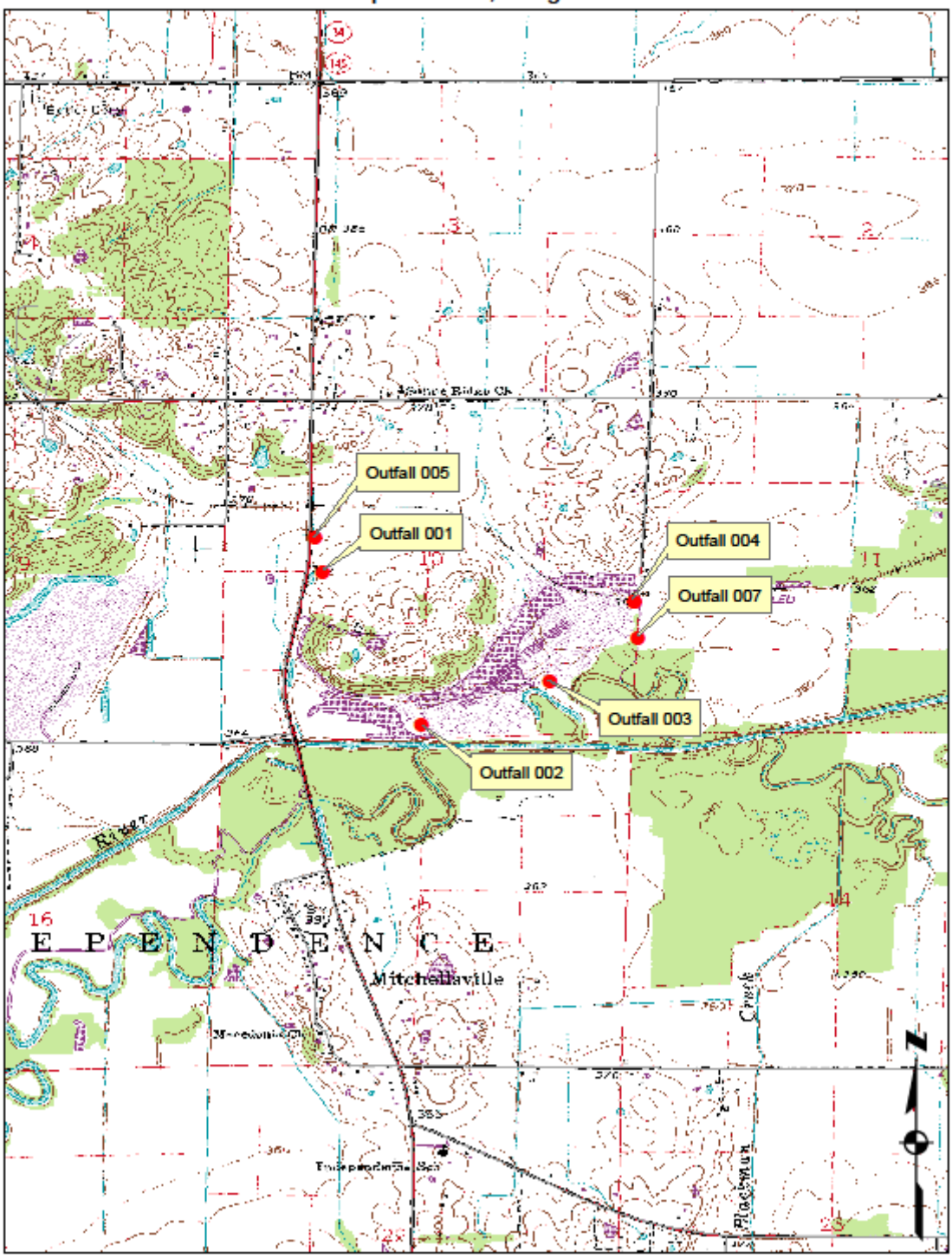
Summary Comments of the Illinois Department of Natural Resources, Regional Planning Commissions, Zoning Boards or Other Entities

The Illinois Department of Natural Resources was consulted on endangered species issues via the Eco-CAT system on April 26, 2013. No aquatic endangered or threatened species were identified. Consultation was not terminated immediately because of a near-by INAI site. A letter terminating consultation is expected from IDNR soon.

Agency Conclusion.

This preliminary assessment was conducted pursuant to the Illinois Pollution Control Board regulation for Antidegradation found at 35 Ill. Adm. Code 302.105 (antidegradation standard) and was based on the information available to the Agency at the time the draft permit was written. We tentatively find that the proposed activity will result in the attainment of water quality standards; that all existing uses of the receiving stream will be maintained; that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity; and that this activity will benefit the community at large by preserving jobs. Comments received during the NPDES permit public notice period will be evaluated before a final decision is made by the Agency.

Eagle River Coal, L.L.C. - Mine No. 1
NPDES No. IL0048071
Saline County
Township 10 South, Range 6 East



NPDES Permit No. IL0048071

Illinois Environmental Protection Agency

Division of Water Pollution Control

1021 North Grand Avenue, East

P.O. Box 19276

Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Modified NPDES Permit

Expiration Date: February 28, 2014

Issue Date: March 13, 2009
Effective Date: March 13, 2009
Modification Date: September 1, 2009
Modification Date:

Name and Address of Permittee:

Eagle River Coal, L.L.C.
P.O. Box 444
Harrisburg, Illinois 62946

Facility Name and Address:

Eagle River Coal, L.L.C.
Mine No. 1
1.0 mile north of Mitchellsville, Illinois
(Saline County

Discharge Number and Classification:

001, 002, 003, 004 Alkaline Mine Drainage
005, 007

Receiving waters

Unnamed tributaries to South Fork Saline River

In compliance with the provisions of the Illinois Environmental Protection Act, Subtitle C and/or Subtitle D Rules and Regulations of the Illinois Pollution Control Board, and the Clean Water Act, the above-named permittee is hereby authorized to discharge at the above location to the above-named receiving stream in accordance with the standard conditions and attachments herein.

Permittee is not authorized to discharge after the above expiration date. In order to receive authorization to discharge beyond the expiration date, the permittee shall submit the proper application as required by the Illinois Environmental Protection Agency (IEPA) not later than 180 days prior to the expiration date.

Larry D. Crislip, Permit Manager
Mine Pollution Control Program
Bureau of Water

LDC:cs/6457c/4-25-13

NPDES Coal Mine Permit

NPDES Permit No. IL0048071

Effluent Limitations and Monitoring

From the effective date of this Permit until the expiration date, the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfall*: 001, 005, 007 (Alkaline Mine Drainage)

Discharge Condition	Parameters														
	Total Suspended Solids (mg/l) ***		Iron (total) (mg/l) ***		pH** (S.U.) ***	Alkalinity/ Acidity ***	Sulfate (mg/l) ***	Chloride (mg/l) ***	Mn (total) (mg/l) ***	Manganese (total) (mg/l.)[tt]		Hardness ***	Mercury See Special Condition No. 15	Flow (MGD)	Settleable Solids (ml/l)
	30 day average	daily maximum	30 day average	daily maximum						30 day average	daily maximum				
I	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1654	500	1.0	2.0	4.0	Monitor only	Monitor Only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	1654	500	-	-	-	Monitor only	-	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	1654	500	-	-	-	Monitor only	-	Measure When Sampling	-
IV	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1654	500	1.0	2.0	4.0	Monitor only	Monitor only	Measure When Sampling	-

I Dry weather discharge (base flow or mine pumpage) from the outfall.

II In accordance with 35 Ill. Adm. Code 406.110(a), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24-hour precipitation event (or snowmelt or equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b). The 10-year, 24-hour precipitation event for this area is considered to be 4.8 inches.

III In accordance with 35 Ill. Adm. Code 406.110(d), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b).

IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For outfalls which have no allowed mixing, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.

Sampling during all Discharge Conditions shall be performed utilizing the grab sampling method.

*** There shall be a minimum of nine (9) samples collected during the quarter when the pond is discharging. Of these 9 samples, a minimum of one sample each month shall be taken during either Discharge Condition I or IV should such discharge condition occur. A "no flow" situation is not considered to be a sample of the discharge. In the event that Discharge Conditions II and/or III occur, grab sample of each discharge caused by the above precipitation events (Discharge Conditions II and/or III) shall be taken and analyzed for the parameters identified in the table above during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s). Should a sufficient number of discharge events occur during the quarter, the remaining three (3) quarterly samples may be taken during any of the Discharge Conditions described above.

The water quality standards for sulfate and chloride must be met in discharges from the above referenced outfall as well as in the receiving stream.

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* The Permittee is subject to the limitations, and monitoring and reporting requirements of Special Condition No. 13 for the discharges from Outfall 001, 005 and 007 and the unnamed tributaries to South Fork Saline River receiving such discharges.

** No discharge is allowed from any above referenced permitted outfall during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

[tt] Upon approval by USEPA of the Illinois Pollution Control Board's newly adopted Manganese Water Quality Standard in R-2011-18, discharges from Outfall 001, 005 and 007 are subject to the technology based effluent limitations of 2.0 mg./l. (monthly average) and 4.0 mg./l/ (daily maximum), pursuant to 35 Ill. Adm. Code 406.106.

NPDES Coal Mine Permit

NPDES Permit No. IL0048071

Effluent Limitations and Monitoring

From the effective date of this Permit until the expiration date, the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfall*: 002, 003, 004 (Alkaline Mine Drainage)

Discharge Condition	Parameters													
	Total Suspended Solids (mg/l) ***		Iron (total) (mg/l) ***		pH** (S.U.) ***	Alkalinity/ Acidity ***	Sulfate (mg/l) ***	Chloride (mg/l) ***	Mn (total) (mg/l) ***	Manganese (total) (mg/l.)[tt]		Hardness ***	Flow (MGD)	Settleable Solids (ml/l)
	30 day average	daily maximum	30 day average	daily maximum						30 day average	daily maximum			
I	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1654	500	1.0	2.0	4.0	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	1654	500	-	-	-	Monitor only	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	1654	500	-	-	-	Monitor only	Measure When Sampling	-
IV	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1654	500	1.0	2.0	4.0	Monitor only	Measure When Sampling	-

I Dry weather discharge (base flow or mine pumpage) from the outfall.

II In accordance with 35 Ill. Adm. Code 406.110(a), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24-hour precipitation event (or snowmelt or equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.106(b). The 10-year, 24-hour precipitation event for this area is considered to be 4.8 inches.

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Sampling during all Discharge Conditions shall be performed utilizing the grab sampling method.

*** There shall be a minimum of nine (9) samples collected during the quarter when the pond is discharging. Of these 9 samples, a minimum of one sample each month shall be taken during either Discharge Condition I or IV should such discharge condition occur. A "no flow" situation is not considered to be a sample of the discharge. In the event that Discharge Conditions II and/or III occur, grab sample of each discharge caused by the above precipitation events (Discharge Conditions II and/or III) shall be taken and analyzed for the parameters identified in the table above during at least 3 separate events each quarter. For quarters in which there are less than 3 such precipitation events resulting in discharges, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s). Should a sufficient number of discharge events occur during the quarter, the remaining three (3) quarterly samples may be taken during any of the Discharge Conditions described above.

The water quality standards for sulfate and chloride must be met in discharges from the above referenced outfall as well as in the receiving stream.

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* The Permittee is subject to the limitations, and monitoring and reporting requirements of Special Condition No. 13 for the discharges from Outfalls 002, 003 and 004 and the unnamed tributary to South Fork Saline River receiving such discharges.

** No discharge is allowed from any above referenced permitted outfall during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

[tt] Upon approval by USEPA of the Illinois Pollution Control Board's newly adopted Manganese Water Quality Standard in R-2011-18, discharges from Outfalls 002, 003 and 004 are subject to the technology based effluent limitations of 2.0 mg./l. (monthly average) and 4.0 mg./l/ (daily maximum), pursuant to 35 Ill. Adm. Code 406.106.

NPDES Coal Mine Permit

NPDES Permit No. IL0048071

Effluent Limitations and Monitoring

Upon completion of Special Condition 10 and approval from the Agency, the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfall*: 001, 002, 003, 004, 005, 007 (Reclamation Area Drainage)

Discharge Condition	Parameters					
	pH** (S.U.) ***	Sulfate (mg/l) ***	Chloride (mg/l) ***	Hardness ***	Flow (MGD)	Settleable Solids (ml/l) ***
I	6.5-9.0	1654	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	1654	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	1654	500	Monitor only	Measure When Sampling	-
IV	6.5-9.0	1654	500	Monitor only	Measure When Sampling	0.5

I Dry weather discharge (base flow, if present) from the outfall.

II In accordance with 35 Ill. Adm. Code 406.109(b), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period less than or equal to the 10-year, 24-hour precipitation event (or snowmelt or equivalent volume) shall comply with the indicated limitations. The 10-year, 24-hour precipitation event for this area is considered to be 4.8 inches.

III In accordance with 35 Ill. Adm. Code 406.109(c), any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period greater than the 10-year, 24-hour precipitation event (or snowmelt of equivalent volume) shall comply with the indicated limitations instead of those in 35 Ill. Adm. Code 406.109(b).

IV Discharges continuing 24 hours after cessation of precipitation event that resulted in discharge. For reclamation area discharges, monitoring requirements and permit limitations of Discharge Condition IV are identical to Discharge Condition I to which the outfall discharge has reverted.

Sampling during all Discharge Conditions shall be performed utilizing the grab sampling method. A "no flow" situation is not considered to be a sample of the discharge.

*** One sample per month (1/month) shall be collected if and/or when a discharge occurs under either Discharge Condition I, II or IV and analyzed for the parameters identified in the table above. In addition, at least three (3) grab samples shall be taken each quarter from separate precipitation events under Discharge Condition III and analyzed for parameters indicated in the above table. For quarters in which there are less than 3 such precipitation events, a grab sample of the discharge shall be required whenever such precipitation event(s) occur(s).

The water quality standards for sulfate and chloride must be met in discharges from the above referenced outfall as well as in the receiving stream.

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* The Permittee is subject to the limitations, and monitoring and reporting requirements of Special Condition No. 13 for the discharges from Outfall 001, 002, 003, 004, 005, 007 and the unnamed tributary to South Fork Saline River receiving such discharges.

** No discharge is allowed from any above referenced permitted outfall during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

NPDES Coal Mine Permit

NPDES Permit No. IL0048071

Effluent Limitations and Monitoring

Upon completion of Special Condition No. 11 and approval from the Agency, the effluent of the following discharge shall be monitored and limited at all times as follows:

Outfalls: 001, 002, 003, 004, 005 and 007 (Stormwater Discharge)

Parameters	
pH* (S.U.) **	Settleable Solids (ml/l) **
6.0-9.0	0.5

Stormwater discharge monitoring is subject to the following reporting requirements:

Analysis of samples must be submitted with second quarter Discharge Monitoring Reports.

If discharges can be shown to be similar, a plan may be submitted by November 1 of each year preceding sampling to propose grouping of similar discharges and/or updated previously submitted groupings. If updating of a previously submitted plan is not necessary, a written notification to the Agency, indicating such is required. Upon approval from the Agency, one representative sample for each group may be submitted.

Annual stormwater monitoring is required for all discharges until Final SMCRA Bond is released and approval to cease such monitoring is obtained from the Agency.

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* No discharge is allowed from any above referenced permitted outfalls during "low flow" or "no flow" conditions in the receiving stream unless such discharge meets the water quality standards of 35 Ill. Adm. Code 302.204 for pH.

** One (1) sample per year shall be collected and analyzed for the indicated parameter; however, such sampling and analysis is required only if and/or when a discharge occurs from the individual Outfall(s) identified above.

NPDES Permit No. IL0048071

Construction Authorization No. 2031-06

C.A. Date: February 20, 2007

Engineer: Danny Lowry, P.E.

Authorization is hereby granted to the above designee to construct the mine and mine refuse area described as follows:

A surface coal mining operation identified as IDNR/OMM Permit No. 381 located in Section 10, Township 10 South, Range 6 East, 3rd P.M., Saline County. Operations shall be conducted as described in IEPA Log Nos. 2031-06 and 2031-06-B. The site will contain 227.0 acres.

Facilities located within the above described area will consist of drainage control structures (ditches), sedimentation ponds, soil stockpiles, access roads, parking areas, coal stockpile, office and maintenance building.

Drainage for this site will be controlled by several drainage control structures (ditches) and four (4) sedimentation basins with discharges designated as Outfall 001, 002, 003, and 004 which are classified as alkaline mine drainage. The outfall locations and receiving streams for the noted discharges are as follows:

Outfall No.	Latitude (North)	Longitude (West)	Receiving Stream
001	37º 39' 56.3"	88º 32' 9.8"	Unnamed tributary to South Fork Saline River
002	37º 39' 32.2"	88º 31' 54.2"	Unnamed tributary to South Fork Saline River
003	37º 39' 39.2"	88º 31' 33.9"	Unnamed tributary to South Fork Saline River
004	37º 39' 51.9"	88º 31' 20.6"	Unnamed tributary to South Fork Saline River

Groundwater monitoring for this site will consist of three monitoring wells designated as MW-1, MW-2 and MW-3 as described in IEPA Log Nos. 2031-06 and 2031-06-B. Groundwater monitoring requirements are contained in Condition No. 12.

The abandonment plan shall be executed and completed in accordance with 35 Ill. Adm. Code 405.109.

All water remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.202. For the constituents not covered by Parts 302 or 303, all water remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.106.

This Authorization is issued subject to the following Conditions. If such Conditions require additional or revised facilities, satisfactory engineering plan documents must be submitted to this Agency for review and approval to secure issuance of a Supplemental Authorization to Construct.

1. If any statement or representation is found to be incorrect, this permit may be revoked and the permittee thereupon waives all rights thereunder.

2. The issuance of this permit (a) shall not be considered as in any manner affecting the title of the premises upon which the mine or mine refuse area is to be located; (b) does not release the permittee from any liability for damage to person or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (c) does not take into consideration the structural stability of any units or parts of the project; and (d) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or with applicable local laws, regulations or ordinances.

3. Final plans, specifications, application and supporting documents as submitted by the person indicated on Page 1 as approved shall constitute part of this permit in the records of the Illinois Environmental Protection Agency.

4. There shall be no deviations from the approved plans and specifications unless revised plans, specifications and application shall first have been submitted to the Illinois Environmental Protection Agency and a supplemental permit issued.

5. The permit holder shall notify the Environmental Protection Agency (217/782-3637) immediately of an emergency at the mine or mine refuse area which causes or threatens to cause a sudden discharge of contaminants into the waters of Illinois and shall immediately undertake necessary corrective measures as required by 35 Ill. Adm. Code 405.111. (217/782-3637 for calls between the hours of 5:00 p.m. to 8:30 a.m. and on weekends.)

6. The termination of an NPDES discharge monitoring point or cessation of monitoring of an NPDES discharge is not authorized by this Agency until the permittee submits adequate justification to show what alternate treatment is provided or that untreated drainage will meet applicable effluent and water quality standards.

7. Initial construction activities in areas to be disturbed shall be for collection and treatment facilities only. Prior to the start of other activities, surface drainage controls shall be constructed and operated to avoid violations of the Act or Subtitle D. At such time as runoff water is collected in the sedimentation pond, a sample shall be collected and analyzed, for the parameters designated as 1M through 15M under Part 5-C of Form 2C and the effluent parameters designated herein with the results sent to this Agency. Should additional treatment be necessary to meet the standards of 35 Ill. Adm. Code 406.106, a Supplemental Permit must be obtained. Discharge from ponds is not allowed unless applicable effluent and water quality standards are met in the basin discharge(s).

8. This Agency must be informed in writing and an application submitted if drainage, which was previously classified as alkaline (pH greater than 6.0), becomes acid (pH less than 6.0) or ferruginous (base flow with an iron concentration greater than 10 mg/l). The type of drainage reporting to the basin should be reclassified in a manner consistent with the applicable rule of 35 Ill. Adm. Code 406 as amended in R84-29 at 11 Ill. Reg. 12899. The application should discuss the treatment method and demonstrate how the discharge will meet the applicable standards.

9. A permittee has the obligation to add a settling aid if necessary to meet the suspended solids or settleable solids effluent standards. The selection of a settling aid and the application practice shall be in accordance with a. or b. below

    a. Alum ($Al_2(SO_4)_3$), hydrated lime ($Ca(OH)_2$), soda ash (Na_2CO_3), alkaline pit pumpage, acetylene production by-product (tested for impurities), and ground limestone are acceptable settling aids and are hereby permitted for alkaline mine drainage sedimentation ponds.

    b. Any other settling aids such as commercial flocculents and coagulants are permitted only on prior approval from the Agency. To obtain approval a permittee must demonstrate in writing to the Agency that such use will not cause a violation of the toxic substances standard of 35 Ill. Adm. Code 302.210 or of the appropriate effluent and water quality standards of 35 Ill. Adm. Code parts 302, 304, and 406.

10. A general plan for the nature and disposition of all liquids used to drill boreholes shall be filed with this Agency prior to any such operation. This plan should be filed at such time that the operator becomes aware of the need to drill unless the plan of operation was contained in a previously approved application.

11. Any of the following shall be a violation of the provisions required under 35 Ill. Adm. Code 406.204:

    a. It is demonstrated that an adverse effect on the environment in and around the receiving stream has occurred or is likely to occur.

    b. It is demonstrated that the discharge has adversely affected or is likely to adversely affect any public water supply.

    c. The Agency determines the permittee is not utilizing good mining practices as defined in 35 Ill. Adm. Code 406.204 which are applicable in order to minimize the discharge of total dissolved solids, chloride, sulfate, iron and manganese.

12. Groundwater monitoring requirements for the OMM Permit No. 381 area as approved under IEPA Log Nos. 2031-06 and 2031-06-B are as follows:

    a. Groundwater monitoring shall consist of Well Nos. MW-1 MW-2 and MW-3.

b. Ambient background monitoring shall be performed for all wells identified in 12(a) above. Such ambient monitoring shall consist of six (6) samples collected during the first year (approximately bi-monthly) following well installation but no later than during the first year of facility operation to determine ambient background concentrations. Background monitoring shall include the following list of constituents:

Aluminum	Chloride	Iron (total)	Phenols	Zinc
Antimony	Chromium	Lead	Selenium	pH
Arsenic	Cobalt	Manganese (dissolved)	Silver	Acidity
Barium	Copper	Manganese (total)	Sulfate	Alkalinity
Beryllium	Cyanide	Mercury	Thallium	Hardness
Boron	Fluoride	Molybdenum	Total Dissolved Solids	Water Elevation
Cadmium	Iron	Nickel	Vanadium	

c. Following the ambient monitoring as required under 12(b) above, routine monitoring shall continue on a quarterly basis for the following list of constituents:

Iron (dissolved)	Sulfate	Alkalinity
Iron (total)	Total Dissolved Solids	pH
Manganese (dissolved)	Hardness	Water Elevation
Manganese (total)	Acidity	

d. Groundwater monitoring reports shall be submitted to the Agency in accordance with Special Condition Nos. 3 and 5 of this NPDES permit.

e. A statistically valid representation of background and/or post mining water quality required under Condition No. 12a above shall be submitted utilizing the following method. This method shall be used to determine the upper 95 percent confidence limit for each parameter listed above.

Should the Permittee determine that an alternate statistical method would be more appropriate based on the data being evaluated, the Permittee may request utilization of such alternate methodology. Upon approval from the Agency, the alternate methodology may be utilized to determine a statistically valid representation of background and/or post mining water quality.

This method should be used to predict the confidence limit when single groundwater samples are taken from each monitoring (test) well.

i. Determine the arithmetic mean $\left(\overline{X}_b\right)$ of each indicator parameter for the sampling period. If more than one well is used, an equal number of samples must be taken from each well.

$$\overline{X}_b = \frac{X_1 + X_2 + \ldots X_n}{n}$$

Where:

$\overline{X}_b$ = Average value for a given chemical parameter

X_n = Values for each sample

n = the number of samples taken

ii. Calculate the background and/or post mining variance (S_b^2) and standard deviation (S_b) for each parameter using the values (X_n) from each sample of the well(s) as follows:

$$S_b^{\,2} = \frac{(X_1 - \overline{X}_b)^2 + (X_2 - \overline{X}_b)^2 + \ldots + (X_n - \overline{X}_b)^2}{n-1}$$

$$S_b = \sqrt{S_b^{\,2}}$$

iii. Calculate the upper confidence limit using the following formula:

$$CL = \overline{X}_b \pm t\sqrt{1+1/n}\ \ (S_b)$$

Where:

CL = upper confidence limit prediction
(upper and lower limits should be calculated for pH)
t = one-tailed t value at the required significance
level and at n-1 degrees of freedom from Table 1
(a two-tailed t value should be used for pH)

iv. If the values of any routine parameter for any monitoring well exceed the upper confidence limit for that parameter, the permittee shall conclude that a statistically significant change has occurred at that well.

v. When some of the background and/or post mining values are less than the Method Detection Limit (MDL), a value of one-half (1/2) the MDL shall be substituted for each value that is reported as less than the MDL. All other computations shall be calculated as given above.

If all the background and/or post mining values are less than the MDL for a given parameter, the Practical Quantitation Limit (PQL), as given in 35 Ill. Adm. Code Part 724 Appendix I shall be used to evaluate data from monitoring wells. If the analytical results from any monitoring well exceed two (2) times the PQL for any single parameter, or if they exceed the PQLs for two or more parameters, the permittee shall conclude that a statistically significant change has occurred.

Table 1
Standard t-Tables Level of Significance

Degrees of freedom	t-values (one-tail)		t-values (two-tail)*	
	99%	95%	99%	95%
4	3.747	2.132	4.604	2.776
5	3.365	2.015	4.032	2.571
6	3.143	1.943	3.707	2.447
7	2.998	1.895	3.499	2.365
8	2.896	1.860	3.355	2.306
9	2.821	1.833	3.250	2.262
10	2.764	1.812	3.169	2.228
11	2.718	1.796	3.106	2.201
12	2.681	1.782	3.055	2.179
13	2.650	1.771	3.012	2.160
14	2.624	1.761	2.977	2.145
15	2.602	1.753	2.947	2.131
16	2.583	1.746	2.921	2.120
17	2.567	1.740	2.898	2.110
18	2.552	1.734	2.878	2.101
19	2.539	1.729	2.861	2.093
20	2.528	1.725	2.845	2.086
21	2.518	1.721	2.831	2.080
22	2.508	1.717	2.819	2.074
23	2.500	1.714	2.807	2.069
24	2.492	1.711	2.797	2.064
25	2.485	1.708	2.787	2.060
30	2.457	1.697	2.750	2.042
40	2.423	1.684	2.704	2.021

Adopted from Table III of "Statistical Tables for Biological Agricultural and Medical Research" (1947, R.A. Fisher and F. Yates).

* For pH only when required.

NPDES Permit No. IL0048071

Construction Authorization No. 2031-06-1

S.C.A. Date: April 26, 2013

Supplemental Authorization is hereby granted to the above designee to construct and operate the mine and mine refuse area, previously approved under Authorization No. 2031-06 dated February 20, 2007. These facilities have been revised as follows:

The mining operations plan is being revised as discussed and depicted in IEPA Log Nos. 8083-10 and 7332-11. These revisions include minor additions and updates to the surface support facilities consisting of buildings, truck scales, revised highway entrance, access roads, internal culverts and soil storage areas. An updated abandonment (Post-mining Reclamation Map) is provided under IEPA Log No. 8083-10-A which depicts a wooded wetland area required in accordance with the Army Corps of Engineers 404 Permit as well as minor revisions and adjustments to the various post-mining land use areas.

As proposed and depicted in IEPA Log Nos. 8318-10 and 8535-10, Sedimentation Basin 001 was realigned to accommodate the reconstruction of the drainage ditch along State Rt. 34/145.

As described and depicted in IEPA Log Nos. 6429-12, 6429-12-B and 6429-12-F (OMM Permit No. 425), an additional area is incorporated into the NPDES permit consisting of 370.0 acres located in Sections 10 and 11, Township 10 South, Range 6 East, Saline County, Illinois. This area includes drainage control structures (ditches), sedimentation basins, topsoil and subsoil stockpiles and surface mining areas.

Surface drainage control for the OMM Permit No. 425 area is provided by one (1) single stage pond identified as Basin and Outfall 005, and one (1) dual stage pond identified as Basins 007 and 008, with the discharges from Basin 008 being tributary to Basin 007 with offsite discharges being from Outfall 007. Discharges from Outfalls 005 and 007 are classified as alkaline mine drainage and report to unnamed tributaries of South Fork Saline River.

Location and receiving stream of the Outfalls at this facility are as follows:

Outfall Number	Latitude			Longitude			Receiving Water
	DEG	MIN	SEC	DEG	MIN	SEC	
005	37°	40’	02”	88°	32’	11”	Unnamed tributary to South Fork Saline River
007	37°	39’	46”	88°	31’	20”	Unnamed tributary to South Fork Saline River

Coal processing remains unchanged from the process originally approved for this facility. This operation utilizes a dry coal separator located within the previously approved adjacent OMM Permit No. 381 area. Reject material from the dry coal separator will continue to be disposed in the active mining pit within either the OMM Permit No. 381 or 425 areas.

Three (3) additional groundwater monitoring wells identified as Well No. MW-4, MW-5 and MW-6 are located as depicted on the Operations Plan (Map No. 6) contained in IEPA Log No. 6429-12 and 6429-12-B. Groundwater monitoring requirements for Well Nos. MW-4, MW-5 and MW-6 are contained in Condition No. 12.

The abandonment plan shall be executed and completed in accordance with 35 Ill. Adm. Code 405.109.

All water remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.202. For the constituents not covered by Parts 302 or 303, all water remaining upon abandonment must meet the requirements of 35 Ill. Adm. Code 406.106.

This Supplemental Authorization is issued subject to the following Conditions. If such Conditions require additional or revised facilities, appropriate engineering plan documents must be submitted to this Agency for review and approval to secure issuance of a Supplemental Authorization to Construct.

1. If any statement or representation is found to be incorrect, this permit may be revoked and the permittee thereupon waives all rights thereunder.

2. The issuance of this permit (a) shall not be considered as in any manner affecting the title of the premises upon which the mine or mine refuse area is to be located; (b) does not release the permittee from any liability for damage to person or property caused by or resulting from the installation, maintenance or operation of the proposed facilities; (c) does not take into consideration the structural stability of any units or parts of the project; and (d) does not release the permittee from compliance with other applicable statutes of the State of Illinois, or with applicable local laws, regulations or ordinances.

3. Final plans, specifications, application and supporting documents as submitted by the person indicated on Page 1 as approved shall constitute part of this permit in the records of the Illinois Environmental Protection Agency.

4. There shall be no deviations from the approved plans and specifications unless revised plans, specifications and application shall first have been submitted to the Illinois Environmental Protection Agency and a supplemental permit issued.

5. The permit holder shall notify the Environmental Protection Agency (217/782-3637) immediately of an emergency at the mine or mine refuse area which causes or threatens to cause a sudden discharge of contaminants into the waters of Illinois and shall immediately undertake necessary corrective measures as required by 35 Ill. Adm. Code 405.111. (217/782-3637 for calls between the hours of 5:00 p.m. to 8:30 a.m. and on weekends.)

6. The termination of an NPDES discharge monitoring point or cessation of monitoring of an NPDES discharge is not authorized by this Agency until the permittee submits adequate justification to show what alternate treatment is provided or that untreated drainage will meet applicable effluent and water quality standards.

7. Initial construction activities in areas to be disturbed shall be for collection and treatment facilities only. Prior to the start of other activities, surface drainage controls shall be constructed and operated to avoid violations of the Act or Subtitle D. At such time as runoff water is collected in the sedimentation pond, a sample shall be collected and analyzed, for the parameters designated as 1M through 15M under Part 5-C of Form 2C and the effluent parameters designated herein with the results sent to this Agency. Should additional treatment be necessary to meet the standards of 35 Ill. Adm. Code 406.106, a Supplemental Permit must be obtained. Discharge from ponds is not allowed unless applicable effluent and water quality standards are met in the basin discharge(s).

8. This Agency must be informed in writing and an application submitted if drainage, which was previously classified as alkaline (pH greater than 6.0), becomes acid (pH less than 6.0) or ferruginous (base flow with an iron concentration greater than 10 mg/l). The type of drainage reporting to the basin should be reclassified in a manner consistent with the applicable rule of 35 Ill. Adm. Code 406 as amended in R84-29 at 11 Ill. Reg. 12899. The application should discuss the treatment method and demonstrate how the discharge will meet the applicable standards.

9. A permittee has the obligation to add a settling aid if necessary to meet the suspended solids or settleable solids effluent standards. The selection of a settling aid and the application practice shall be in accordance with a. or b. below

    a. Alum ($Al_2(SO_4)_3$), hydrated lime ($Ca(OH)_2$), soda ash (Na_2CO_3), alkaline pit pumpage, acetylene production by-product (tested for impurities), and ground limestone are acceptable settling aids and are hereby permitted for alkaline mine drainage sedimentation ponds.

    b. Any other settling aids such as commercial flocculents and coagulants are permitted only on prior approval from the Agency. To obtain approval a permittee must demonstrate in writing to the Agency that such use will not cause a violation of the toxic substances standard of 35 Ill. Adm. Code 302.210 or of the appropriate effluent and water quality standards of 35 Ill. Adm. Code parts 302, 304, and 406.

10. A general plan for the nature and disposition of all liquids used to drill boreholes shall be filed with this Agency prior to any such operation. This plan should be filed at such time that the operator becomes aware of the need to drill unless the plan of operation was contained in a previously approved application.

11. Any of the following shall be a violation of the provisions required under 35 Ill. Adm. Code 406.202:

    a. It is demonstrated that an adverse effect on the environment in and around the receiving stream has occurred or is likely to occur.

    b. It is demonstrated that the discharge has adversely affected or is likely to adversely affect any public water supply.

    c. The Agency determines that the permittee is not utilizing Good Mining Practices in accordance with 35 Ill. Adm. Code 406.204 which are fully described in detail in Sections 406.205, 406.206, 406.207 and 406.208 in order to minimize the discharge of total dissolved solids, chloride, sulfate, iron and manganese. To the extent practical, such Good Mining Practices shall be implemented to:

        i. Stop or minimize water from coming into contact with disturbed areas through the use of diversions and/or runoff controls (Section 406.205).

        ii. Retention and control within the site of waters exposed to disturbed materials utilizing erosion controls, sedimentation controls, water reuse or recirculation, minimization of exposure to disturbed materials, etc. (Section 406.206).

iii. Control and treatment of waters discharged from the site by regulation of flow of discharges and/or routing of discharges to more suitable discharge locations (Section 406.207).

iv. Utilized unconventional practices to prevent the production or discharge of waters containing elevated contaminant concentrations such as diversion of groundwater prior to entry into a surface or underground mine, dewatering practices to remove clean water prior to contacting disturbed materials and/or any additional practices demonstrated to be effective in reducing contaminant levels in discharges (Section 406.208).

12. Groundwater monitoring requirements for Well Nos. MW-4, MW-5 and MW-6 are as follows:

a. Ambient background monitoring shall be performed for all referenced wells. Such ambient monitoring shall consist of six (6) samples collected during the first year (approximately bi-monthly) following well installation but no later than during the first year of operation or disturbance to determine ambient background concentrations. Background monitoring shall include the following list of constituents:

Aluminum	Fluoride	Sulfate
Antimony	Iron (dissolved)	Thallium
Arsenic	Iron (total)	Total Dissolved Solids
Barium	Lead	Vanadium
Beryllium	Manganese (dissolved)	Zinc
Boron	Manganese (total)	pH
Cadmium	Mercury	Acidity
Chloride	Molybdenum	Alkalinity
Chromium	Nickel	Hardness
Cobalt	Phenols	Water Elevation
Copper	Selenium	
Cyanide	Silver	

b. Following the ambient monitoring as required under Condition No. 12(a) above, routine monitoring for the referenced wells shall continue on a quarterly basis as required by IDNR/OMM for the following list of constituents:

Iron (dissolved)	Hardness
Iron (total)	Acidity
Manganese (dissolved)	Alkalinity
Manganese (total)	pH
Sulfate	Water Elevation
Total Dissolved Solids	

c. Following completion of active mining and reclamation, post-mining monitoring of the above referenced wells shall consist of six (6) samples collected during a 12-month period (approximately bi-monthly) to determine post-mining concentrations. Post-mining monitoring shall include the list of constituents identified in Condition No. 12(a) above.

d. Groundwater monitoring reports shall be submitted to the Agency in accordance with Special Condition Nos. 3 and 5 of this NPDES permit.

e. A statistically valid representation of background and/or post mining water quality required under Condition No. 12(a) above shall be submitted utilizing the method outlined in Condition No. 12(e) in the original Authorization to Construct.

NPDES Permit No. IL0048071

Special Conditions

Special Condition No. 1: No effluent from any mine related facility area under this permit shall, alone or in combination with other sources, cause a violation of any applicable water quality standard as set out in the Illinois Pollution Control Board Rules and Regulations, Subtitle C: Water Pollution.

Special Condition No. 2: Samples taken in compliance with the effluent monitoring requirements shall be taken at a point representative of the discharge, but prior to entry into the receiving stream.

Special Condition No. 3: All periodic monitoring and reporting forms, including Discharge Monitoring Report (DMR) forms, shall be submitted to the Agency according to the schedule outlined in Special Condition No. 4 or 5 below with one (1) copy forwarded to each of the following addresses:

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Ave., East
P.O. Box 19276
Springfield, IL 62794-9276

Attn: Compliance Assurance Section

Illinois Environmental Protection Agency
Mine Pollution Control Program
2309 West Main Street, Suite 116
Marion, Illinois 62959

Should electronic filing be available and elected for any periodic monitoring and reporting requirements, written notification shall be provided to the Agency that such electronic filing has been elected and the date on which this filing will be initiated.

Special Condition No. 4: Completed Discharge Monitoring Report (DMR) forms and stream monitoring results, shall be retained by the Permittee for a period of three (3) months and shall be mailed and received by the IEPA at the addresses indicated in Special Condition No. 3 above in accordance with the following schedule, unless otherwise specified by the permitting authority.

Period	Received by IEPA
January, February, March	April 15
April, May, June	July 15
July, August, September	October 15
October, November, December	January 15

The Permittee shall record discharge monitoring results on Discharge Monitoring Report forms (DMR's) using one such form for each applicable Discharge Condition each month.

Special Condition No. 5: Completed periodic monitoring and reporting, other than DMR's and stream monitoring (i.e., groundwater monitoring, coal combustion waste analysis reports, etc.), shall be retained by the Permittee for a period of three (3) months and shall be mailed and received by the IEPA at the addresses indicated in Special Condition No. 3 above in accordance with the following schedule, unless otherwise specified by the permitting authority.

Period	Received by IEPA
January, February, March	May 1
April, May, June	August 1
July, August, September	November 1
October, November, December	February 1

Special Condition No. 6: The Agency may revise or modify the permit consistent with applicable laws, regulations or judicial orders.

Special Condition No. 7: If an applicable effluent standard or limitation is promulgated under Sections 301(b)(2)(C) and (D), 304(b)(2), and 307(a)(2) of the Clean Water Act and that effluent standard or limitation is more stringent than any effluent limitation in the permit or controls a pollutant not limited in the NPDES Permit, the Agency shall revise or modify the permit in accordance with the more stringent standard or prohibition and shall so notify the permittee.

Special Condition No. 8: The permittee shall notify the Agency in writing by certified mail within thirty days of abandonment, cessation, or suspension of active mining for thirty days or more unless caused by a labor dispute. During cessation or suspension of active mining, whether caused by a labor dispute or not, the permittee shall provide whatever interim impoundment, drainage diversion, and wastewater treatment is necessary to avoid violations of the Act or Subtitle D.

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Special Condition No. 9: Plans must be submitted to and approved by this Agency prior to construction of a sedimentation pond. At such time as runoff water is collected in the sedimentation pond, a sample shall be collected and analyzed for the parameters designated as 1M-15M under Part 5-C of Form 2C and the effluent parameters designated herein with the results sent to this Agency. Should additional treatment be necessary to meet these standards, a Supplemental Permit must also be obtained. Discharge from a pond is not allowed unless applicable effluent and water quality standards are met.

Special Condition No. 10: The special reclamation area effluent standards of 35 Ill. Adm. Code 406.109 apply only on approval from the Agency. To obtain approval, a request form and supporting documentation shall be submitted 45 days prior to the month that the permittee wishes the discharge be classified as a reclamation area discharge. The Agency will notify the permittee upon approval of the change.

Special Condition No. 11: The special stormwater effluent standards apply only on approval from the Agency. To obtain approval, a request with supporting documentation shall be submitted 45 days prior to the month that the permittee proposes the discharge to be classified as a stormwater discharge. The documentation supporting the request shall include analysis results indicating the discharge will consistently comply with reclamation area discharge effluent standards. The Agency will notify the permittee upon approval of the change.

Special Condition No. 12: Annual stormwater monitoring is required for all discharges not reporting to a sediment basin until Final SMCRA Bond is released and approval to cease such monitoring is obtained from the Agency.

A. Each discharge must be monitored for pH and settleable solids annually.

B. Analysis of samples must be submitted with second quarter Discharge Monitoring Reports. A map with discharge locations must be included in this submittal.

C. If discharges can be shown to be similar, a plan may be submitted by November 1 of each year preceding sampling to propose grouping of similar discharges and/or update previously submitted groupings. If updating of a previously submitted plan is not necessary, a written notification to the Agency indicating such is required. Upon approval from the Agency, one representative sample for each group may be submitted.

Special Condition No. 13: Sediment Pond Operation and Maintenance (Outfalls 001, 002, 003, 004, 005, 007):

a. For discharges resulting from precipitation events, in addition to the alternate effluent (Discharge Condition Nos. II and III) monitoring requirements, as indicated on the applicable effluent pages of this Permit, discharges from Outfalls 001, 002, 003, 004, 005 and 007 shall be monitored and reported for Discharge Rate, Sulfate, Chloride and Hardness.

b. The following sampling and monitoring requirements are applicable to flow in the unnamed tributaries to South Fork Saline River which receive discharges from Outfalls 001, 002, 003, 004, 005 and 007.

    i. All sampling and monitoring required under Special Condition No. 13(b)(ii) and (iii) below shall be performed during a discharge and monitoring event from the associated outfall.

    ii. The unnamed tributaries to South Fork Saline River shall be monitored and reported quarterly for Discharge Rate, Chloride, Sulfate and Hardness downstream of the associated outfall. This downstream monitoring shall be performed a sufficient distance downstream of the associated outfall to ensure that complete mixing has occurred. At such time that sufficient information has been collected regarding receiving stream flow characteristics and in-stream contaminant concentrations the permittee may request a re-evaluation of the monitoring frequency required herein for possible reduction or elimination. For the purpose of re-evaluating the downstream monitoring frequency of the receiving stream, "sufficient information" is defined as a minimum of ten (10) quarterly sampling events.

    In the event that downstream monitoring of the receiving waters is eliminated during the term of this permit based on an evaluation of the quarterly data, a minimum of three (3) additional samples analyzed for the parameters identified above must be submitted with the permit renewal application a minimum of 180 days prior to expiration of this permit.

    iii. The unnamed tributaries to South Fork Saline River shall be monitored and reported annually for Discharge Rate, Chloride, Sulfate and Hardness upstream of the associated outfall.

Special Condition No. 14: Data collected in accordance with Special Condition No. 13 above will be utilized to evaluate the appropriateness of the effluent limits established in this Permit. Should the Agency's evaluation of this data indicate revised effluent limits are warranted; this permit may be reopened and modified to incorporate more appropriate effluent limitations. This data will also be used for determination of effluent limitations at the time of permit renewal.

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Special Condition No. 15: Mercury shall be monitored quarterly until a minimum of ten (10) samples have been collected. This Mercury monitoring is required only under Discharge Condition Nos. I and/or IV and only during quarters in which there are discharges from the outfall which occur under Discharge Condition Nos. I and/or IV. Samples shall be collected and tested in accordance with USEPA 1631E using the option at Section 11.1.1.2 requiring the heating of samples at 50°C for 6 hours in a BrCl solution in closed vessels. This test method has a Method Detection Limit (MDL) of 0.5 ng/l (nanograms/liter). The results of such testing must be reported in "ng/l" (nanograms/liter)and submitted with the quarterly Discharge Monitoring Reports (DMRs). The Permittee may submit a written request to the Agency to discontinue quarterly Mercury monitoring if the sampling results show no reasonable potential to exceed the Mercury water quality standard.