

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

**Macoupin Energy – Shay Number 1 Mine
Macoupin County**

**Public Hearing
Wednesday, April 27, 2011 at 6:00 p.m.**

**Blackburn College – Olin Lecture Hall
700 College Avenue
Carlinville, Illinois 62626**

The IEPA Bureau of Water has prepared a draft renewed National Pollutant Discharge Elimination System (NPDES) permit with modifications for Macoupin Energy, L.L.C., Shay No. 1 Mine. The address of the discharger is 14300 Brushy Mound Road, Carlinville, Illinois 62626. The facility is located in Macoupin County, approximately 7 miles south of Carlinville, Illinois.

The Illinois EPA has made a tentative determination to issue this NPDES permit renewal with modifications 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.

The NPDES draft renewed permit covering the Shay No. 1 Mine reflects a change in ownership from Monterey Coal Company to Macoupin Energy, L.L.C. This permit is for the surface facilities of an underground mine and covers a total of 1261.4 acres. Spanish Needle Creek as well as the unnamed tributaries to both Spanish Needle Creek and Macoupin Creek receiving discharges from the outfalls identified above are zero 7Q10 flow General Use waters.

None of the unnamed tributaries have been assessed by the Agency and therefore are not listed in the Illinois Integrated Water Quality Report and draft 2010 Section 303(d) list. Neither the segment of Spanish Needle Creek (Segment ID DGZH), which receives the discharges from Outfalls 002, 003 and 005, nor the unnamed tributary to this segment of Spanish Needle Creek, which receives the discharges from Outfalls 004 and 007, are in the Illinois Integrated Water Quality Report and draft 2010 Section 303(d) list.

Macoupin Creek (Segment ID DA 04) which receives flow from the unnamed tributary into which Outfall 001 discharges is on the draft 2010 Section 303(d) list as being impaired due to unknown sources for fecal coliform.

A copy of the draft NPDES permit and the public notice/fact sheet can be viewed on the IEPA website: <http://www.epa.state.il.us/public-notices/2010/macoupin-energy/index.pdf>.

Additionally, 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 draft renewed and modified Permit No. IL0056022 should be directed to Larry D. Crislip, Manager, Permit Section, Mine Pollution Control Program, Illinois EPA, 2309 W. Main St., Suite 116, Marion, IL 62959. Phone 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> and will be conducted in accordance with provisions of Sections 309.115 through 109.119. Requests for special needs interpreters must be made to the IEPA hearing officer by April 6, 2011.

The Illinois EPA welcomes substantive written comments. Written comments must be postmarked or e-mailed **by midnight, May 27, 2011**, when the hearing record closes. E-mails must specify **Shay Number 1 Mine NPDES** in the subject line and must be sent to: epa.publichearingcom@illinois.gov. The hearing record is a file containing the hearing transcript and written comments. Comments need not be notarized and should be sent to:

Hearing Officer Dean Studer
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P. O. Box 19276
Springfield, IL 62794-9276

Phone: 217-558-8280

TDD (hearing impaired): 217/ 782-9143