

Illinois Environmental Protection Agency (IEPA)
Notice of Water Discharge Permit Public Hearing
NPDES Permit IL0056022

Macoupin Energy, LLC
Shay No. 1 Mine
Public Hearing
Tuesday, March 11, 2014 at 6 p.m.

Carlinville Park District Building
859 Ramey Street
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 and discharges into Spanish Needle Creek and unnamed tributaries of Macoupin Creek and Spanish Needle Creek.

Illinois EPA is holding this hearing for the purpose of taking comments on the draft permit prior to taking final action on the permit application. Issues relevant to this proceeding include the applicant's compliance with requirements of the federal Clean Water Act and Subtitles C and D, 35 Illinois Adm. Code. Because Illinois is mandated by state law to issue a permit if the applicant meets the requirements for obtaining a permit, those recommending denial of the permit application should be prepared to state the regulation that is the basis of their recommendation.

The applicant operates an existing underground coal mine (SIC 1222). Mine operations result in the discharge of wastewater classified as alkaline mine drainage, wastewater from the preparation plant area and coal refuse disposal piles classified as acid mine drainage, and stormwater and sanitary wastewater. Modifications included in the draft permit public noticed on December 3, 2013 include the additions of various parcels totaling 42.5 acres for use of facilities in support of the underground mining activities; reclassification of Outfall 003 and Outfall 004 as stormwater discharges; elimination of Outfall 006; incorporation of modified disposal plan to include underground disposal of fine coal refuse; and, a revision to the reclamation plan for Refuse Area Numbers 5 and 6. These are modifications (included in the December 3, 2013 public notice) since the previously public-noticed permit on November 18, 2010 (a hearing was held on April 27, 2011 regarding the 2010 public-noticed draft permit, but no final permit was issued).

Stream segment DA04 (Macoupin Creek) ultimately receiving flows from Outfall 001 is included on the 2012 303(d) list of impaired waters with a potential cause of fecal coliform. Stream segment DAZL (Spanish Needle Creek) ultimately receiving flows from Outfalls 002, 003, 004, 005 and 007 discharges is not on the 2012 303(d) list of impaired waters.

The NPDES draft permit and the public notice/fact sheet were last placed on public notice on December 3, 2013. Other documents for this proceeding can be viewed on the IEPA website: <http://www.epa.state.il.us/public-notices/2013/npdes-notices.html#macoupin-energy>. Documents from the 2011 public hearing (including the 2010 public-noticed draft permit) are available online at: <http://www.epa.state.il.us/public-notices/2010/npdes-notices.html#macoupin-energy>.

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 permit IL0056022 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 **February 17, 2014**. These documents can be obtained online at <http://www.ipcb.state.il.us/documents/dsweb/Get/Document-33358>.

The hearing record is a file containing the hearing transcript and written comments. **Written comments must be postmarked or e-mailed by midnight, April 10, 2014, when the hearing record closes** (e-mails with written comments **must be** sent to epa.publichearingcom@illinois.gov and should specify Macoupin Energy NPDES or IL0056022 in the subject line). Email comments originating on third party systems or servers intended for submittal of multiple emails of the same or nearly the same content will not be accepted without prior approval from the hearing officer. The IEPA welcomes substantive written comments. Comments need not be notarized and should be sent to:

Hearing Officer Dean Studer
Re: Macoupin Energy NPDES
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

Comments regarding the hearing process (not comments on this permit) can be emailed to the hearing officer at dean.studer@illinois.gov.