

Illinois Environmental Protection Agency (IEPA)
Notice of Application and Public Hearing for 401 Water Quality Certification

Peabody Arclar Mining, L.L.C.
Rocky Branch Mine
Saline County

Public Hearing

Tuesday, February 18, 2014

At approximately 7:00 p.m. following the NPDES Hearing

Harris-Pruett Community Building
107 East Church Street
Harrisburg, Illinois

The IEPA Bureau of Water has received an application for a Section 401 water quality certification (Log. No. C-0317-12) for discharge into waters of the United States associated with a Section 404 permit application (COE appl. # 2012-1006) received by the United States Army Corps of Engineers. The address of the applicant is Peabody Arclar Mining, L.L.C., 7100 Eagle Crest boulevard, Suite 100, Evansville, IN 47715-8152.

The applicant has applied for Section 401 water quality certification for impacts associated with a new surface coal mine. The Rocky Branch mine would be located east of the Cottage Grove mine, which is nearing completion of mining. Approximately 8.8 million tons of recoverable coal is within the multiple seam mine. Two pits are proposed for mining at Rocky Branch, Pit 1 (east) and Pit 2 (west). Pit 1 is located south of Illinois Route 13 approximately 3.6 miles west of the town of Equality, Illinois. Pit 2 is located south of Illinois Route 13 approximately 7.0 miles west Equality. Both areas are in Saline County, Illinois and approximately 3.4 miles apart. Stormwater runoff from 1091.8 acres of land would be routed through sediment basins and permitted outfalls. For the purposes of this assessment, it is assumed that the entire catchment area would potentially be mined. Multiple unnamed tributaries and Rocky Branch would be affected by this activity.

It should be noted that certain areas of Pit 2 still have an outstanding bond remaining associated with the Arclar Company's Big Ridge Mine and these areas were excluded from delineation and inclusion within this permit request.

The IEPA has made a tentative determination to issue the Section 401 water quality certification in accordance with 35 Illinois Administrative Code (IAC) Subtitle C (*Water Pollution*), the Illinois Environmental Protection Act and the federal Clean Water Act. The 401 certification process is governed by the provisions of 35 IAC Part 395, *Procedures and Criteria for Certification of*

Applications for Federal Permits or Licenses for Discharges into Waters of the State, which can be obtained online at <http://www.ipcb.state.il.us/documents/dsweb/Get/Document-12064/>

Inquiries about the certification should be directed to Engineer Thaddeus Faught, IEPA Division of Water Pollution Control, Permit Section, 1021 North Grand Avenue East, Springfield, Illinois 62794-9276, phone 217-782-3362, or e-mail thaddeus.faught@illinois.gov. The water quality certification application is available for examination at the IEPA offices in Springfield. The public notice/fact sheet can be viewed on the IEPA website:

<http://www.epa.state.il.us/public-notice/2013/peabody-arclar/index.pdf>

Requests for special needs interpreters must be made to the IEPA hearing officer by **February 4, 2014**. The hearing will be held under the provisions of 35 IAC Part 164, *Procedures for Informational Public Hearings*, which can be obtained online at <http://www.ipcb.state.il.us/documents/dsweb/Get/Document-11864/>.

The hearing record is a file containing the hearing transcript and written comments. **Written comments must be postmarked or e-mailed by midnight, March 19, 2014, when the hearing record closes** (e-mails comments **must be sent to** epa.publichearingcom@illinois.gov and must specify **Rocky Branch Mine 401** or **COE # 2012-1006** 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 are to be sent to:

Hearing Officer Dean Studer
Rocky Branch Mine 401
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P. O. Box 19276
Springfield, IL 62794-9276
Phone 217-558-8280

E-mail: epa.publichearingcom@illinois.gov
TDD (hearing impaired) 217-782-9143

Questions regarding the hearing process for this proceeding and not intended to be included in the hearing record can be emailed to the hearing officer at dean.studer@illinois.gov.