



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

BRUCE RAUNER, GOVERNOR

LISA BONNETT, DIRECTOR

May 27, 2015

618/993-7200

Peabody Coulterville Mining, LLC  
7100 Eagle Crest Boulevard, Suite 200  
Evansville, IN 47715-8152

Re: Peabody Coulterville Mining, LLC  
Gateway Mine  
NPDES Permit No. IL0062189  
Final Renewed Permit

Gentlemen:

Attached is the final renewed NPDES Permit for your discharge. The Permit as issued covers discharge limitations, monitoring, and reporting requirements. The failure of you to meet any portion of the Permit could result in civil and/or criminal penalties. The Illinois Environmental Protection Agency is ready and willing to assist you in interpreting any of the conditions of the Permit as they relate specifically to your discharge.

The Permit as issued was modified after Public Notice and Public Hearing based on comments received. The final permit no longer authorizes the use of sewage treatment plant sludge from the Village of Coulterville as a soil amendment.

The Permit as issued is effective as of the date indicated on the first page of the Permit. You have the right to appeal any conditions of the Permit to the Illinois Pollution Control Board within a 35 day period following the issuance date.

Should you have questions concerning the Permit, please contact the undersigned at 618/993-7200.

Respectfully,

ENVIRONMENTAL PROTECTION AGENCY

Joseph D. Stitely, P.E.  
Acting Manager, Permit Section  
Mine Pollution Control Program  
Bureau of Water

JDS:IW:cs/6913c/12-9-14

Enclosure: Final Permit

cc: IDNR/Office of Mines and Minerals/Land Reclamation/with Enclosure  
IDNR/Division of Water Resources/with Enclosure  
Joseph Stitely, Marion Region/Mine Pollution Control Program/with Enclosure  
BOW/DWPC/CAS  
BOW/DWPC/Records

NPDES Permit No. IL0062189

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

Reissued and Modified NPDES Permit

Expiration Date: April 30, 2020

Issue Date: May 27, 2015

Effective Date: May 27, 2015

Name and Address of Permittee:

Peabody Coulterville Mining, L.L.C.  
7100 Eagle Crest Boulevard, Suite 200  
Evansville, IN 47715-8152

Facility Name and Address:

Peabody Coulterville Mining, L.L.C.  
Gateway Mine  
13101 Zeigler 11 Road  
2 miles south of Coulterville, Illinois  
(Randolph County)

Discharge Number and Classification:

001, 002, 003, 007, 008, 009

Alkaline Mine Drainage

010

Alkaline Mine Drainage

006, 011, 012

Alkaline Mine Drainage

Receiving waters

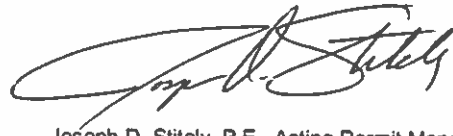
Unnamed tributary to Marys River

Unnamed tributary to Lick Branch

Unnamed tributary to Plum Creek

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.



Joseph D. Stitely, P.E., Acting Permit Manager  
Mine Pollution Control Program  
Bureau of Water

JDS:IW:cs/6989c/2-10-15

NPDES Coal Mine Permit  
NPDES Permit No. IL0062189  
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 (Alkaline Mine Drainage)

Discharge Condition	Parameters											Flow (MGD)	Settleable Solids (m/l)
	Total Suspended Solids (mg/l) ***		Iron (total) (mg/l) ***		pH** (S.U.) ***	Alkalinity/ Acidity ***	Sulfate (mg/l) ***	Chloride (mg/l) ***	Mn (total) (mg/l) ***		Hardness ***		
	30 day average	daily maximum	30 day average	daily maximum					30 day average	daily maximum			
I	35	70	3.5	7.0	6.5-9.0	Alk.>Acid	2030	500	2.0	4.0	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	2030	500	-	-	Monitor only	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	2030	500	-	-	Monitor only	Measure When Sampling	-
IV	35	70	3.5	7.0	6.5-9.0	Alk.>Acid	2030	500	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 4.76 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.

\* The Permittee is subject to the limitations, and monitoring and reporting requirements of Special Condition No. 13 for the discharges from Outfall 001 and unnamed tributary to Marys 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. IL0062189  
 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 (Alkaline Mine Drainage)

Discharge Condition	Parameters											Mercury see Special Condition No. 17	Flow (MGD)	Settleable Solids (mfl)
	Total Suspended Solids (mg/l) ***		Iron (total) (mg/l) ***		pH** (S.U.) ***	Alkalinity/ Acidity ***	Sulfate (mg/l) ***	Chloride (mg/l) ***	Mn (total) (mg/l)		Hardness ***			
	30 day average	daily maximum	30 day average	daily maximum					30 day average	Daily maximum				
I	35	70	3.5	7.0	6.5-9.0	Alk > Acid	1810	500	2.0	4.0	Monitor only	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	1810	500	-	-	Monitor only	-	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	1810	500	-	-	Monitor only	-	Measure When Sampling	-
IV	35	70	3.5	7.0	6.0-9.0	Alk > Acid	1810	500	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 4.76 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. At such time that receiving stream flow subsides to the degree that the mixing ratio specified in Special Condition No. 14 is not available, monitoring requirements and permit limitations shall revert to Discharge Condition I.

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.

Discharges from the above referenced outfall that are subject to the requirements of Discharge Conditions II, III and/or IV must meet the water quality standards for sulfate and chloride in the receiving stream.

\* The Permittee is subject to the limitations, and monitoring and reporting requirements of Special Condition No. 13 for the discharges from Outfall 002 and the unnamed tributary to Marys River receiving such discharges. Also, discharges from Outfall 002 shall be subject to the limitations, and monitoring and reporting requirements of Special Condition No. 18.

\*\* 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. IL0062189  
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\*: 003 (Alkaline Mine Drainage)

Discharge Condition	Parameters											Mercury see Special Condition No. 17	Flow (MGD)	Settleable Solids (m/l)
	Total Suspended Solids (mg/l)		Iron (total) (mg/l)		pH** (S.U.)	Alkalinity/ Acidity	Sulfate (mg/l)	Chloride (mg/l)	Mn (total) (mg/l)		Hardness			
	30 day average	daily maximum	30 day average	daily maximum					30 day average	Daily maximum				
I	35	70	3.5	7.0	6.5-9.0	Alk.>Acid	500	500	2.0	4.0	Monitor only	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	1500	1000	-	-	Monitor only	-	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	1500	1000	-	-	Monitor only	-	Measure When Sampling	-
IV	35	70	3.5	7.0	6.0-9.0	Alk.>Acid	1500	1000	2.0	4.0	Monitor only	Monitor only	Measure When Sampling	-

- I Dry weather discharge (base flow or mine pumpage) from the outfall at times of "low flow" or "no flow" conditions in the receiving stream as defined in Special Condition No. 14.
- 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 4.76 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. At such time that receiving stream flow subsides to the degree that the mixing ratio specified in Special Condition No. 14 is not available, monitoring requirements and permit limitations shall revert to Discharge Condition I.

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.

Discharges from the above referenced outfall that are subject to the requirements of Discharge Conditions II, III and/or IV must meet the water quality standards for sulfate and chloride in the receiving stream.

\* The Permittee is subject to the limitations, and monitoring and reporting requirements of Special Condition No. 14 for the discharges from Outfall 003 and the unnamed tributary to Marys River receiving such discharges. Also, discharges from Outfall 002 and 003 shall be subject to the limitations, and monitoring and reporting requirements of Special Condition No. 18.

\*\* 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. IL0062189  
 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\*: 006 (Alkaline Mine Drainage)

Discharge Condition	Parameters											Flow (MGD)	Settleable Solids (ml/l)	
	Total Suspended Solids (mg/l) ***		Iron (total) (mg/l) ***		pH** (S.U.) ***	Alkalinity/Acidity ***	Sulfate (mg/l) ***	Chloride (mg/l) ***	Mn (total) (mg/l) ***		Hardness ***			Mercury see Special condition No. 17
	30 day average	daily maximum	30 day average	daily maximum					30 day average	daily maximum				
I	35	70	3.5	7.0	6.5-9.0	Alk.>Acid	1366	500	2.0	4.0	Monitor only	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	1366	500	-	-	Monitor only	-	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	1366	500	-	-	Monitor only	-	Measure When Sampling	-
IV	35	70	3.5	7.0	6.5-9.0	Alk.>Acid	1366	500	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 4.76 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.

\* The Permittee is subject to the limitations, and monitoring and reporting requirements of Special Condition No. 13 for the discharges from Outfall 006 and unnamed tributary to Plum Creek receiving such discharges. Also, discharges from Outfall 006 shall be subject to the limitations, and monitoring and reporting requirements of Special Condition No. 18.

\*\* 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. IL0062189  
 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\*: 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) ***		Hardness ***	Mercury see Special condition No. 17	Flow (MGD)	Settleable Solids (mil)
	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	2198	500	2.0	4.0	Monitor only	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	2198	500	-	-	Monitor only	-	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	2198	500	-	-	Monitor only	-	Measure When Sampling	-
IV	35	70	3.0	6.0	6.5-9.0	Alk > Acid	2198	500	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 4.76 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.

\* The Permittee is subject to the limitations, and monitoring and reporting requirements of Special Condition No. 13 for the discharges from Outfall 007 and unnamed tributary to Marys River receiving such discharges. Also, discharges from Outfall 007 shall be subject to the limitations, and monitoring and reporting requirements of Special Condition No. 18.

\*\* 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. IL0062189  
 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\*: 008, 009 (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) ***		Hardness ***	Mercury see Special condition No. 17	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	2004	500	2.0	4.0	Monitor only	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	2004	500	-	-	Monitor only	-	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	2004	500	-	-	Monitor only	-	Measure When Sampling	-
IV	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	2004	500	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 4.76 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 or 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.

\* The Permittee is subject to the limitations, and monitoring and reporting requirements of Special Condition No. 13 for the discharges from Outfalls 008 and 009 and unnamed tributary to Marys River receiving such discharges. Also, discharges from Outfall 009 shall be subject to the limitations, and monitoring and reporting requirements of Special Condition No. 18.

\*\* 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. IL0062189  
 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\*: 010 (Alkaline Mine Drainage)

Discharge Condition	Parameters											Flow (MGD)	Settleable Solids (ml/l)	
	Total Suspended Solids (mg/l) ***		Iron (total) (mg/l) ***		pH** (S.U.) ***	Alkalinity/Acidity ***	Sulfate (mg/l) ***	Chloride (mg/l) ***	Mn (total) (mg/l) ***		Hardness ***			Mercury see Special condition No. 17
	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	1301	500	2.0	4.0	Monitor only	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	1301	500	-	-	Monitor only	-	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	1301	500	-	-	Monitor only	-	Measure When Sampling	-
IV	35	70	3.0	6.0	6.5-9.0	Alk > Acid	1301	500	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 4.76 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.

\* The Permittee is subject to the limitations, and monitoring and reporting requirements of Special Condition No. 13 for the discharges from Outfall 010 and unnamed tributary to Marys River receiving such discharges. Also, discharges from Outfall 010 shall be subject to the limitations, and monitoring and reporting requirements of Special Condition No. 18.

\*\* 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. IL0062189

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\*: 011, 012 (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) ***		Hardness ***	Mercury see Special condition No. 17	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	1366	500	2.0	4.0	Monitor only	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	1366	500	-	-	Monitor only	-	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	1366	500	-	-	Monitor only	-	Measure When Sampling	-
IV	35	70	3.0	6.0	6.5-9.0	Alk.>Acid	1366	500	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 4.76 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 or 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.

\* The Permittee is subject to the limitations, and monitoring and reporting requirements of Special Condition No. 13 for the discharges from Outfalls 011 and 012 and unnamed tributary to Plum Creek receiving such discharges. Also, discharges from Outfalls 011 and 012 shall be subject to the limitations, and monitoring and reporting requirements of Special Condition No. 18.

\*\* 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. IL0062189  
 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 (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	2030	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	2030	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	2030	500	Monitor only	Measure When Sampling	-
IV	6.5-9.0	2030	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 4.76 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 and unnamed tributary to Marys 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. IL0062189  
 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\*: 002 (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	1810	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	1810	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	1810	500	Monitor only	Measure When Sampling	-
IV	6.5-9.0	1810	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 4.76 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 002 and unnamed tributary to Marys 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. IL0062189  
 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\*: 003 (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	500	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	500	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	500	500	Monitor only	Measure When Sampling	-
IV	6.5-9.0	500	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 4.76 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. 15 for the discharges from Outfall 003 and unnamed tributary to Marys 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. IL0062189  
 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\*: 006, 011, 012 (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	1366	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	1366	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	1366	500	Monitor only	Measure When Sampling	-
IV	6.5-9.0	1366	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 4.76 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 006, 011 and 012 and unnamed tributary to Plum Creek 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. IL0062189  
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\*: 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	2198	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	2198	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	2198	500	Monitor only	Measure When Sampling	-
IV	6.5-9.0	2198	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 4.76 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 or 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.

\* The Permittee is subject to the limitations, and monitoring and reporting requirements of Special Condition No. 13 for the discharges from Outfall 007 and unnamed tributary to Marys 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. IL0062189  
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\*: 008, 009 (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	2004	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	2004	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	2004	500	Monitor only	Measure When Sampling	-
IV	6.5-9.0	2004	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 4.76 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 008, 009 and unnamed tributary to Marys 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. IL0062189  
 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\*: 010 (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	1301	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	1301	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	1301	500	Monitor only	Measure When Sampling	-
IV	6.5-9.0	1301	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 4.76 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 010 and unnamed tributary to Lick Branch 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. IL62189  
 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, 006, 007, 008, 009, 010, 011, 012 (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. IL0062189

Construction Authorization No. 8161-00

C.A. Date: December 3, 2014

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

The surface facilities of an underground mine containing 922.07 acres, located in Sections 15, 16, 21, 22, 26 and 27, T4S, R5W, and Section 12 & 13, T5S, R5W, Randolph County. The total area cited herein includes modifications discussed below.

Facilities located at this site include a preparation plant with a closed circuit fine coal (slurry) system, rail loop, fine and coarse refuse disposal areas, fresh water lake, access roads, buildings, drainage control and piping systems and overland belt conveyer system.

As described in IEPA Log Nos. 5174-03 and 3223-05 the surface facilities have been modified to incorporate an additional coal stockpile and coal load-out facility and remove the thickener pond, respectively. All runoff from these modified surface facilities is tributary to existing sedimentation basins.

In accordance with IEPA Log No. 2358-06 a pole building with concrete pad and topsoil stockpiles will be constructed. These additions to the surface facilities located within the watershed of freshwater lake and Outfall 009.

The following additional areas are being incorporated into the NPDES Permit under this Construction Authorization.

As proposed and described in IEPA Log No. 3283-05, 2.0 acres are incorporated into this permit to accommodate construction of an access road. Alternate sediment control measures will be used for this area instead of a sedimentation basin. All runoff from this area shall be monitored in accordance with stormwater monitoring requirements of Special Condition No. 12 of this NPDES Permit. This additional area is included in the total permit acreage cited above.

An additional 5.18 acres as described in IEPA Log No. 2355-06 are incorporated into this permit for construction of a helicopter pad. Alternate sediment control measures will be used for this area instead of a sedimentation basin. All runoff from this area shall be monitored in accordance with stormwater monitoring requirements of Special Condition No. 12 of this NPDES Permit. This additional area is included in the total permit acreage cited above.

As proposed and described in IEPA Log No. 2356-06, 15.5 acres are incorporated into this permit for development and expansion of the fine coal (slurry) refuse disposal area. The fine coal refuse disposal expansion will consist of the development of Slurry Cell No. 4 as described and depicted in IEPA Log No 2469-05. Runoff from the additional area and the expanded slurry disposal operation will initially be tributary to basin and Outfall 006. Drainage from this area will later be revised to become tributary to the surface drainage control system developed with the construction of Slurry Cell No. 5 discussed below. Refer to Condition No. 15 for groundwater monitoring requirements. This additional area is included in the total permit acreage cited above.

As proposed in IEPA Log No. 9362-09 and previously approved under Subtitle D Permit No. 2010-MO-9362, 3.5 acres is incorporated into this permit for development of an airshaft for the underground mining operations. Surface runoff from this area will be controlled with the use of mulch, silt fencing and/or straw bale containment check dams and by timely revegetation of all areas distributed for construction activities (with exception of rocked areas) and shall be monitored in accordance with stormwater monitoring requirements of Special Condition No. 12 of this NPDES Permit. This additional area is included in the total permit acreage cited above. This area was subsequently modified as discussed below to incorporate a sedimentation basin and Outfall 010 for treatment of underground pumpage.

As proposed in IEPA Log No. 9561-09, 20.00 acres are incorporated into this permit for a soil borrow area to obtain cover material for future reclamation of refuse disposal Cells 1, 2, 3 and 4. Runoff from this additional area will be tributary to Pond and Outfall 009. This additional area is included in the total permit acreage cited above.

An additional 36.00 acres as depicted in IEPA Log No. 6172-12 and located immediately west of the 20.00 acre area depicted in IEPA Log No. 9561-09 as described above are being incorporated into this NPDES Permit as a potential future soil borrow area. This 36.00 acres area was subsequently over-permitted by OMM Permit No. 426 as described below.

As proposed in IEPA Log No. 8233-10, 1.0 acre is incorporated into this permit for installation of a rock dust borehole facility. Alternate sediment control measures will be used for this area instead of a sedimentation basin. All runoff from this area shall be monitored in accordance with stormwater monitoring requirements of Special Condition No. 12 of this NPDES Permit. This additional area is included in the total permit acreage cited above.

As proposed in IEPA Log No. 7317-11 and previously approved under 2011-MA-7317, 1.0 acre is incorporated into this permit for installation of a rock dust borehole. This area is located in Section 14, Township 5 South, Range 5 West, Randolph County. Alternate drainage control will be provided by silt fence, straw bale dikes and vegetation. Runoff from this area shall be monitored in accordance with Special Condition No. 12. This additional area is included in the total permit acreage cited above.

An additional 1.5 acres located adjacent to the railroad loop access road is being incorporated into this NPDES Permit. This additional area is included in the total permit acreage cited above.

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As proposed in IEPA Log No. 4279-14 and 4279-14-C, 100.00 acres identified as OMM Permit No. 426 are incorporated into this permit for construction and development of Slurry Cell No. 5 which is located immediately west of Slurry Cell No. 4. Runoff from this additional area and the expanded slurry disposal operation will be tributary to Basins 011 (Cell A and Cell B) and 012 (Cell A and Cell B). Groundwater monitoring for the slurry Cell No. 5 area will include monitoring Well Nos. W3-08R, W3-11, W3-12, W3-13, W3-14, W3-15 and W3-16. Surface drainage control and groundwater protection for this area is discussed in more detail farther below. Refer to Condition No. 15 for groundwater monitoring requirements. This additional area is included in the total permit acreage cited above.

As proposed and described in IEPA Log No. 4555-14, 20.00 acres are incorporated in to this permit for soil stockpiling. Runoff from the northern portion of this additional area will be tributary to basin and Outfall 001, Cell B, located in the OMM Permit 426 area. The southern portion of the affected area will be tributary to NPDES Outfall 008. This additional area is included in the total permit acreage cited above.

Pursuant to information contained in IEPA Log No. 1552-07, monitoring of Outfall 005 has been terminated and the 20.00 acre area tributary to this basin has been abandoned from this permit as the watershed to this basin has been reclaimed in accordance with 35 Ill. Adm. Code 405.109 and the approved abandonment plan for the area; therefore, Outfall 005 has been deleted from this Permit.

Surface drainage control at this facility consists of ten (10) sedimentation basins with discharges designated and located as indicated below:

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

Outfall Number	Latitude			Longitude			Receiving Water
	DEG	MIN	SEC	DEG	MIN	SEC	
001	38°	09'	15"	89°	37'	00"	Unnamed tributary to Marys River
002	38°	10'	27"	89°	38'	01"	Unnamed tributary to Marys River
003	38°	10'	27"	89°	38'	01"	Unnamed tributary to Marys River
006	38°	10'	43"	89°	38'	45"	Unnamed tributary to Plum Creek
007	38°	09'	06"	89°	36'	49"	Unnamed tributary to Marys River
008	38°	09'	39"	89°	38'	23"	Unnamed tributary to Marys River
009	38°	09'	39"	89°	38'	22"	Unnamed tributary to Marys River
010	38°	05'	30"	89°	36'	12"	Unnamed tributary to Lick Branch
011	38°	10'	21"	89°	39'	06"	Unnamed tributary to Plum Creek
012	38°	10'	44"	89°	39'	06"	Unnamed tributary to Plum Creek

Surface drainage is controlled at this facility as follows:

Basin and Outfall 001 receives runoff from the belt slope and transfer area. Outfalls 002, 003 and 006 receive runoff from the refuse disposal outslope areas and potential refuse contact drainage. Basin with discharge designated as Outfall 007 will control runoff from the office and parking lot, storage areas, shaft and underground pumpage.

As previously approved under Subtitle D Permit No. 2014-MO-4344, and described and depicted in IEPA Log Nos. 6240-12 and 4344-14, two cells identified as East Basin and West Basin (Harp Pond) have been constructed to improve the discharge water quality from Outfall 008. At such time that proposed Outfall 009 is approved under this permit, the discharge structure from the West Basin will be modified to direct flow to Outfall 009. The receiving waters for Outfall 009 will be the Fresh Water Lake which discharges to unnamed tributary to Marys River. When Outfall 009 becomes active, the watershed to Outfall 008 will be reduced to an area of approximately 2.0 acres of stormwater runoff.

As proposed in IEPA Log No. 4344-14, however not previously approved under the Subtitle D Permit No. 2014-MO-4344 discussed above, under this NPDES Permit a drop inlet spillway may be installed in the Recirculation Lake to convey any overflow into the East Basin.

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As previously approved under Subtitle D Permit No. 2014-MO-4343, and described in IEPA Log No. 4343-14, an additional sediment cell identified as Basin 012 Cell B was approved to be constructed upstream of Basin and Outfall 006 to further improve the discharge water quality from this Outfall. The addition of Basin 012 Cell B approved under this permit proposed no additional loading or expansion of Outfall 006 as this area was tributary to the referenced Outfall. Under this NPDES Permit basin, Outfall 006 will be eliminated with the construction and development of Slurry Cell 5. At such time that Basin 006 is eliminated, the discharge from Basin 012 Cell B will be redirected to Basin 012 Cell A which will be constructed with the development of Slurry Cell 5 (OMM Permit No. 426).

As previously approved under Subtitle D Permit No. 2014-MO-4345, and described in IEPA Log No. 4345-14, a 12.5" I.D. (inside diameter) HDPE pipe will be installed to direct the low flows from the Cell 2 refuse disposal area which will result from coarse refuse being placed within this RDA as part of the reclamation of this area. The low flows will be directed through the bypass HDPE pipe to a downdrain structure which will convey this flow to the closed slurry circuit system (Recirculation Pond). High flows due to rainfall will overflow the bypass pipe and will continue to be conveyed through Drain D to Pond and Outfall 002. As this bypass pipe is proposed to facilitate reclamation activities, this pipe shall be removed or grouted throughout the entire length as part of final reclamation of the facility.

As proposed in IEPA Log No. 8455-10 and 8455-10-A, basin and Outfall 010 will be constructed at the south airshaft area previously approved under Subtitle D Permit No. 2010-MO-9362 as discussed above. This basin will treat underground pumpage from the airshaft.

As proposed and described in IEPA Log No. 4279-14 and 4279-14-C (OMM Permit No. 426 area), four (4) basin cells with two discharges identified as Outfalls 011 and 012 will be constructed to control the runoff from the out slopes of Refuse Disposal Area Cell 5. Outfall 011 will be the discharge from Basin 011 Cell A and Outfall 012 will be the discharge from Basin 012 Cell A. It is noted that as discussed above Basin 012 Cell B was previously approved to be constructed. At such a time that Basin 012 Cell A is constructed and the discharge from Basin 012 Cell B will be directed to Cell A, the construction of the RDA Cell 5 will eliminate Basin and Outfall 006.

Coarse and fine coal refuse was previously disposed in refuse disposal areas identified as Slurry Cell Nos. 1, 2, and 3. Additional Slurry Cell Nos. 4 and 5 are incorporated under this permit.

Foundation preparation for Slurry Cell No. 5 shall consist of the construction of a four (4) foot compacted clay liner. Compacted clay liners of four (4) foot thickness shall also be constructed for Sedimentation Basins 011 (Cell A and Cell B) and 012 (Cell A and Cell B). The liner geometry for Slurry Cell No. 5, the surrounding embankment and all sedimentation basin cells will consist of scarification and re-compaction of twelve (12) inches of in-situ material overlain by three (3) successive lifts of twelve (12) inches of material. The final compacted total thickness of these liners shall be a minimum of forty-eight (48) inches.

All drainage control structures (ditches) associated with or conveying runoff from Slurry Cell No. 5 shall also be constructed by scarification and re-compaction of eight (8) inches of in-situ material overlain by three (3) successive lifts of eight (8) inches of material. The final compacted total thickness of the liners constructed for these drainage control structures shall be a minimum of thirty-two (32) inches.

Construction of all four (4) foot compacted clay liners for the slurry cell, sedimentation basins and associated ditches shall also be subject to and in accordance with the specifications and testing requirements of Condition No. 12. With prior Agency approval as to thickness and installation procedures, an HDPE synthetic liner may be utilized in lieu of the compacted clay liners proposed for the sedimentation basin cells and drainage control structures.

The following previous approvals for utilization of water treatment plant lime sludge are hereby incorporated into this NPDES Permit:

As previously approved under Subtitle D Permit No. 2006-MD-7331, water treatment plant lime sludge from the City of Collinsville and Rend Lake Conservancy District may be utilized for neutralization of potentially acidic coarse and fine (slurry) refuse areas as described in IEPA Log Nos. 3456-05 and 2237-06, respectively. Lime sludge may be applied to Cell 1, Cell 2, Cell 3 Phase 1 and Cell 3 Phase 2. Utilization of lime sludge from these sources is subject to Condition No. 13.

As previously approved under Subtitle D Permit No. 2012-MD-6235, water treatment Plant Lime Sludge from Prairie State Generating Station (PSGS) may be used as an agricultural lime substitute on the coarse and fine refuse disposal areas as described in IEPA Log No. 6235-12. The PSGS material may be utilized to neutralize the coarse refuse and slurry Cells 1, 2, 3 and 4. Utilization of lime sludge from these sources is subject to Condition No. 13.

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As proposed and described in IEPA Log No. 9071-09, water treatment plant lime sludge from the Liberty Missouri Treatment Plant may be utilized as an amendment material on the coarse refuse and fine coal (slurry) disposal areas. Lime sludge may be applied to areas Cell 1, Cell 2, Cell 3 Phase 1 and Cell 3 Phase 2. Utilization of water treatment lime sludge for coal refuse neutralization is subject to requirements of Condition No. 13.

Application rates for any combination of water treatment plant lime sludge approved herein shall not exceed 500 tons per acre on coarse refuse material or 150 tons per acre on fine coal refuse material.

The following previous approvals for coal combustion waste disposal are hereby incorporated into this NPDES Permit:

As described in IEPA Log No. 0146-08 and previously approved under Subtitle D Permit No. 2008-MW-0146, coal combustion waste from sources identified as Anheuser Busch, University of Illinois (gypsum/ash mixture) and SIU-Carbondale (fly/bottom ash mixture) is approved for disposal in areas depicted in IEPA Log No. 0146-08. Disposal of CCW in approved areas shall be in accordance with procedures outlined in IEPA Log No. 0080-98 which was originally approved under Subtitle D Permit No. 2002-MW-6440-1 and which is replaced by the above referenced Subtitle D Permit. Annual disposal of CCW from Anheuser Busch, University of Illinois and SIU-Carbondale shall be limited to 25,000, 37,000 and 12,000 tons, respectively. Disposal of CCW from the sources approved herein shall be subject to the requirements of Condition No. 14. Monitoring of groundwater Well Nos. W3-04, W3-08 and W3-09, associated with CCW disposal, shall be as outlined in Condition No. 15.

Groundwater monitoring at this facility includes Well Nos. W3-04, W3-05, W3-06, W3-07, W3-08, W3-08R, W3-09, W3-10, W3-11, W3-12, W3-13, W3-14, W3-15 and W3-16. It is noted that Well Nos. W3-04, W3-05, W3-06, W3-07, W3-08, W3-09, W3-10, are also identified as GWM-4, GWM-5, GWM-6, GWM-7, GWM-8, GWM-9 and GWM-10 respectively. Monitoring requirements for wells located at this facility are outlined in Condition No. 15.

This Permit is being transferred from Coulterville Coal Company, L.L.C.-Gateway Mine to Peabody Coulterville Mining, L.L.C.-Gateway Mine.

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 Construction Authorization supersedes and replaces Construction Authorization No. 7086-91 and State Permit Nos. 2002-MW-6440-1, 2006-MD-7331, 2008-MW-0146 and 2010-MO-9362, 2012-MD-6235, 2012-MO-6240, 2014-MO-4343, 2014-MO-4344 and 2014-MO-4345 previously issued for the herein permitted facilities and activities.

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

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.

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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).

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- 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. The four (4) foot thick compacted clay liners to be constructed beneath Refuse Disposal Area Cell 5, Sedimentation Basins 011 Cell A and B and 012 Cell A and B as well as the thirty-two (32) inch compacted clay liners to be constructed in all associated and connecting drainage control structures shall be subject to the following specifications and procedures.

**Construction Specifications**

- a. All soils to be used for compacted clay liner shall be free of grass, vines, vegetation, and rock or stones greater than 4 inches in diameter.
- b. At the location of the compacted clay liners, approximately 18 inches of material shall be removed following topsoil removal. Approximately 6 inches of the resulting base material shall be scarified and re-compacted to achieve the minimum permeability requirements cited below.
- c. Each successive soil lift shall be placed to a loose thickness sufficient to result in a compacted lift of approximately 8 or 12 inches, as appropriate.
- d. Each soil lift shall be compacted to the minimum Standard Proctor (ASTM D698) density identified in Item No. 12(q) below, at moisture content 0% to 5% above the optimum moisture content of the soil.
- e. Inter-lift surfaces shall be adequately scarified to ensure inter-lift bonding.
- f. Liner construction shall be performed to ensure consistent achievement of density, moisture content, and hydraulic conductivity for each successive lift.
- g. The placement of frozen material or the placement of material on frozen ground shall be prohibited.
- h. Contemporaneous placement or protective covering shall be provided to prevent drying, desiccation and/or freezing where necessary.
- i. Liner construction shall be completed in a manner which reduces void spaces within the soil and liner.
- j. All construction stakes shall be removed during construction, and all test holes are to be backfilled with bentonite.
- k. The compacted clay liner shall be constructed in a manner to achieve a uniform barrier with a hydraulic conductivity of  $1 \times 10^{-7}$  cm/sec.
- l. In the event that acceptable compaction results are not achieved, the soil lift shall be re-processed or removed and replaced. If moisture content is less than optimum, or greater than 5% above optimum, the failing material shall be wetted or dried to moisture content within specification and re-compacted. If the dry density is below specification, the failing material shall be re-compacted until a passing test is achieved.
- m. In the event of a failing conductivity test, the soil may be removed or re-compacted and retested until a passing result is obtained; or the soil immediately above and below the test specimen from the same Shelby tube may be tested. If both tests pass, the original test shall be nullified. If either test fails, that portion of the liner shall be rejected and shall be reconstructed and retested until passing results are obtained. The limits of necessary reconstruction shall be determined by additional sampling and testing within the failed region, thereby isolating the failing area of work.



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**Testing Specifications**

- n. Prior to initiating soil liner construction, borrow soils shall be identified, qualified, and verified. At a minimum, a representative sample of each soil type identified within the borrow area is to be collected and analyzed for gradation, compaction, and hydraulic conductivity characteristics.
  - o. Samples collected from the borrow area shall be evaluated in accordance with ASTM D422, D4318 and D2487 to ensure classification criteria are met.
  - p. Samples collected from the borrow area shall be tested in accordance with ASTM D698 to determine maximum dry density and optimum moisture content of the soil.
  - q. Samples collected from the borrow area shall be compacted to 90% and 95% standard Proctor density at or near optimum moisture content. The hydraulic conductivity of the re-compacted samples shall be determined in accordance with ASTM D5084 procedures. The results of this testing shall be used to establish the minimum dry density for soil liner compaction necessary to achieve a hydraulic conductivity of  $1 \times 10^{-7}$  cm/sec or less.
  - r. Moisture and density testing by nuclear methods (ASTM D2922 and D3017) shall be conducted at a rate of at least one test per 1 acre per lift placed. Testing locations shall be random, and shall not be known to the earthwork contractor prior to lift placement.
  - s. Survey checks shall be conducted along established cross-sections to verify liner thickness. To verify liner thickness, the survey checks shall be taken before and after liner construction.
13. Annual analysis of the water treatment plant lime sludge shall be submitted to this Agency in accordance with Special Condition No. 3 of this NPDES Permit on or before December 31<sup>st</sup> of each year in which this material is utilized. Such annual analyses shall be performed utilizing test method ASTM D3987-85 and shall include the following constituents:

Aluminum	Cyanide	Silver
Antimony	Fluoride	Sulfate
Arsenic	Iron	Thallium
Barium	Lead	Total Dissolved Solids
Beryllium	Manganese	Vanadium
Boron	Mercury	Zinc
Cadmium	Molybdenum	pH
Chloride	Nickel	
Chromium	Selenium	
Cobalt		
Copper		

In addition quarterly notification of the volume (tonnage) of water treatment plant lime sludge utilized shall be submitted to this Agency. These quarterly reports shall be submitted on the schedule outlined in Special Condition No. 5 of this Permit.

- 14. Coal Combustion Waste disposal shall be subject to the following:
  - a. Coal Combustion Waste analysis shall be conducted as follows:

A Toxicity Characteristics Leaching Procedure (TCLP) shall be conducted for the following contaminants:

Aluminum	Cobalt	Phenol
Antimony	Copper	Selenium
Arsenic	Iron	Silver
Barium	Lead	Thallium
Beryllium	Manganese	Vanadium
Boron	Mercury	Zinc
Cadmium	Molybdenum	
Chromium	Nickel	

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An appropriate leaching procedure shall be conducted for the following contaminants:

Chloride	Fluoride	Sulfate
Cyanide		

An appropriate laboratory analysis on a slurry paste shall include the following:

Acidity (CaCO<sub>3</sub> Equivalent)  
 Alkalinity (CaCO<sub>3</sub> Equivalent)  
 pH  
 Total Dissolved Solids

A quarterly analysis of each individual coal combustion waste approved herein and a CCW/refuse weighted composite shall be submitted to this Agency. The quarterly analysis is required only for quarters during which CCW disposal occurs. For quarters during which no CCW disposal occurs, a written notification to the Agency indicating such is required.

The quarterly analysis required herein shall include an estimate of the volume of coal combustion waste disposed from each source during the quarter.

Should a new or revised leachate test method be approved by U.S. Environmental Protection Agency, such methodology shall be utilized for coal combustion waste (CCW) analysis in lieu of TCLP analysis required above.

- b. The quarterly TCLP analysis required under Condition 14 (a) above shall be submitted to the Agency in accordance with Special Condition Nos. 3 and 5 of this NPDES Permit.
  - c. Fugitive dust from the coal combustion waste material shall not leave the disposal area. Timely covering, incorporation and/or wetting shall be utilized as necessary to protect exposed surfaces from wind erosion. If during disposal operations, such procedures do not sufficiently control fugitive dust, disposal activities shall cease until such time that more favorable conditions exist or modified operation procedures are proposed and approved by this Agency.
  - d. During periods of inclement weather, the operating procedures may be modified as described in Log No. 0235-98. That is, the CCW delivered to the site may be placed in temporary dumping area located near the preparation plant. The CCW temporarily placed in this area shall be loaded onto the refuse belt and transported to the refuse disposal area within 24 hours from the time of delivery. Fugitive dust from the transfer operation must be controlled as described in Special Condition No. 14 (c).
  - e. Any proposed changes or modifications to the approved conditions, operating procedures waste source or source characteristics require notification and approval by the Agency prior to such changes or modifications being implemented.
15. Groundwater monitoring at this facility consists of Well Nos. W3-04, W3-05, W3-06, W3-07, W3-08, W3-08R, W3-09, W3-10, W3-11, W3-12, W3-13, W3-14, W3-15 and W3-16.
- a. Ambient background monitoring shall be performed for all referenced wells for which such background monitoring has not been previously completed. 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	Static Water Elevation
Copper	Selenium	
Cyanide	Silver	

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Monitoring Well No. W3-16 to be located within the OMM Permit No. 225 area shall be installed within 30 days following permit issuance with ambient background monitoring to be initiated immediately. In the event that Monitoring Well No. W3-16 is installed and background monitoring initiated as required, installation of Monitoring Well Nos. W3-08R, W3-14 and W3-15 may be delayed until such time the Sedimentation Basins 011 and 012 and Slurry Cell No. 5 disposal area construction has progressed to the point that risk has been minimized of these wells being destroyed by construction equipment working in the area

- b. For all existing wells routine monitoring shall be performed on a quarterly basis as follows. In addition, following the ambient monitoring as required under Condition No. 15(a) above, routine monitoring shall continue on a quarterly basis as follows:
  - i. Monitoring Well Nos. W3-04, W3-08, W3-08R, W3-09, W3-11, W3-12, W3-13, W3-14, W3-15 and W3-16 shall continue to be monitored quarterly for the contaminants identified in Condition No. 15(a) above.

- ii. Monitoring Well Nos. W3-05, W3-06, W3-07 and W3-10 shall be monitored quarterly as required by IDNR/OMM for the following list of constituents:

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

- 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. 15(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. 15(a) and 15(c) 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  $(\bar{X}_b)$  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.

$$\bar{X}_b = \frac{X_1 + X_2 + \dots + X_n}{n}$$

Where:

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

$X_n$  = Values for each sample

n = the number of samples taken

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- 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:

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

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

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

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

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.

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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.

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**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

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

Attn: Compliance Assurance Section

The Permittee may choose to submit electronic DMRs (NetDMR) instead of submitting paper DMRs. Information, including registration information for the NetDMR program can be obtained on the IEPA website, <http://www.epa.state.il.us/water/net-dmr/index.html>.

Should electronic filing (NetDMR) be elected for DMR monitoring and reporting requirements, a written notification shall be submitted to the Mine Pollution Control Program at the Marion, Illinois address indicated above that such electronic monitoring has been elected providing an indication of the date and/or quarter in which this electronic filing will be initiated.

**Special Condition No. 4:** Completed Discharge Monitoring Report (DMR) forms as well as upstream and downstream 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	May 1
April, May, June	August 1
July, August, September	November 1
October, November, December	February 1

The Permittee shall record discharge monitoring results on Discharge Monitoring Report (DMR) forms using one such form for each Outfall and Discharge Condition each month. In the event that an Outfall does not discharge during a monthly reporting period or under a given Discharge Condition, the DMR form shall be submitted with "No Discharge" indicated.

In the event that electronic filing is being utilized, any and all monitoring results, other than NPDES outfall discharge results reported through NetDMR, shall be submitted to the Agency at the addresses indicated in Special Condition No. 3 above.

**Special Condition No. 5:** Completed periodic monitoring and reporting not required under Special Condition No. 4 above; such as, groundwater monitoring, coal combustion waste analyses, water treatment plant lime sludge analyses, 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.

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**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.

**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 to request 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 to request 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, 006, 007, 008, 009, 010, 011 and 012):

- a. During all Discharge Conditions, in addition to the contaminants listed on the effluent page, discharges from Outfalls 001, 002, 006, 007, 008, 009, 010, 011 and 012 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 Marys River which receives discharges from Outfalls 001, 002, 007, 008 and 009, unnamed tributary to Lick Branch which receives discharges from Outfall 010, and the unnamed tributary to Plum Creek which receives discharges from Outfalls 006, 011 and 012.
  - i. All sampling and monitoring required under 13(b)(ii) and (iii) below shall be performed during a discharge and monitoring event from the associated outfall.
  - ii. Marys River, unnamed tributary to Lick Branch, and the unnamed tributary to Plum Creek 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 Marys River, unnamed tributary to Lick Branch and the unnamed tributary to Plum Creek shall be monitored and reported annually for Discharge Rate, Chloride, Sulfate and Hardness upstream of the associated outfall.
- c. All results of sampling and monitoring performed in accordance with Special Condition 13(a) and (b) shall be submitted to the Agency in accordance with Special Condition Nos. 3 and 4 above.

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**Special Condition No. 14:** Sediment Pond Operation and Maintenance (Outfall 003):

- a. No discharge is allowed from Outfall No. 003 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. For purposes of this Special Condition "low flow" shall be defined as any condition wherein the upstream flow available for mixing is less than the ratio times the flow rate being discharged from the respective outfall. These ratios are as follows:

Outfall No.	Flow Ratio of Receiving Stream to Outfall Discharge
003	15:1

Pursuant to 35 Ill. Adm. Code 302.120, discharges from the referenced outfalls that otherwise would not meet the water quality standards of 35 Ill. Adm. Code 302 may be permitted if sufficient flow exists in the receiving stream to ensure that applicable water quality standards are met. That is, discharges not meeting the water quality standards of 35 Ill. Adm. Code 302 may only be discharged in combination with stormwater discharges from the basin, and only at such times that sufficient flow exists in the receiving stream to ensure that water quality standards in the receiving stream beyond the area of allowed mixing will not be exceeded. Following any such stormwater discharge, but prior to the flow in the receiving stream subsiding, the impounded water in the basin may be pumped or otherwise evacuated sufficiently below the discharge elevation to provide capacity for holding a sufficient volume of mine pumpage and/or surface runoff to preclude the possibility of discharge until such time that a subsequent precipitation event results in discharge from the basin. Should the Permittee elect to pump impounded water from the basin in accordance with this Special Condition, the pump intake shall be "floated" near the impounded water surface or otherwise managed to prevent re-suspension and subsequent discharge of previously accumulated sediments. At times of stormwater discharge, 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 Outfall No. 003 shall be monitored and reported for Discharge Rate, Sulfate, Chloride and Hardness.

- b. The following sampling and monitoring requirements are applicable to flow in unnamed tributary to Marys River which receives the discharges from Outfall 003.
  - i. All sampling and monitoring required under 14(b)(ii) and (iii) below shall be performed during a discharge and monitoring event from the associated outfall.
  - ii. Unnamed tributary to Marys River shall be monitored and reported quarterly for Discharge Rate, Sulfate, Chloride 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 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. Unnamed tributary to Marys River shall be monitored and reported annually for Discharge Rate, Sulfate, Chloride and Hardness upstream of the associated outfall.
- c. All results of sampling and monitoring performed in accordance with Special Condition 14(a) and (b) shall be submitted to the Agency in accordance with Special Condition Nos. 3 and 4 above.

**Special Condition No. 15:** Sediment Pond Operation and Maintenance (Outfall 003 – Reclamation Area Drainage):

- 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 Outfall 003 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 tributary to Marys River which receives discharges from Outfall 003.



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- i. All sampling and monitoring required under 15(b)(ii) and (iii) below shall be performed during a discharge and monitoring event from the associated outfall.
- ii. Unnamed tributary to Marys 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. Unnamed tributary to Marys River shall be monitored and reported annually for Discharge Rate, Chloride, Sulfate and Hardness upstream of the associated outfall.
- c. All results of sampling and monitoring performed in accordance with Special Condition 15(a) and (b) shall be submitted to the Agency in accordance with Special Condition Nos. 3 and 4 above.

**Special Condition No. 16:** Data collected in accordance with Special Condition Nos. 13, 14 and 15 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.

**Special Condition No. 17:** 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.

**Special Condition No. 18:** Discharges from Outfall Nos. 002, 003, 006, 007, 008, 009, 010, 011 and 012 shall be monitored twice annually with such monitoring spaced at approximately 6-month intervals during the entire 5-year term of this NPDES Permit. Sampling of the discharges shall be performed utilizing the grab sampling method and analyzed for total (unfiltered) concentrations. The results of the sampling required under this Special Condition shall be submitted twice annually to the Agency in January and July of each calendar year to the addresses indicated in the Special Condition No. 2 above. The parameters to be sampled and the detection limits (minimum reported limits) are as follows:

<u>Parameter</u>	<u>Detection Limit</u>
Arsenic	0.05 mg/l
Barium	0.50 mg/l
Cadmium	0.001 mg/l
Chromium (hexavalent)	0.01 mg/l
Chromium	0.05 mg/l
Copper	0.005 mg/l
Lead	0.05 mg/l
Manganese	0.50 mg/l
Mercury*	1.00 ng/l**
Nickel	0.005 mg/l
Phenols	0.005 mg/l
Selenium	2.000 µg/l***
Silver	0.003 mg/l
Zinc	0.025 mg/l

\* Utilize USEPA Method 1631E and the digestion procedure described in Section 11.1.1.2 of 1631E.  
 \*\* 1.00 ng/l (nanogram/liter) = 1 part per trillion.  
 \*\*\* µg/l = micrograms/liter

## Attachment H

### Standard Conditions

#### Definitions

**Act** means the Illinois Environmental Protection Act, 415 ILCS 5 as Amended.

**Agency** means the Illinois Environmental Protection Agency.

**Board** means the Illinois Pollution Control Board.

**Clean Water Act** (formerly referred to as the Federal Water Pollution Control Act) means Pub. L 92-500, as amended. 33 U.S.C. 1251 et seq.

**NPDES** (National Pollutant Discharge Elimination System) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318 and 405 of the Clean Water Act.

**USEPA** means the United States Environmental Protection Agency.

**Daily Discharge** means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

**Maximum Daily Discharge Limitation** (daily maximum) means the highest allowable daily discharge.

**Average Monthly Discharge Limitation** (30 day average) means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

**Average Weekly Discharge Limitation** (7 day average) means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

**Best Management Practices** (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**Aliquot** means a sample of specified volume used to make up a total composite sample.

**Grab Sample** means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes.

**24-Hour Composite Sample** means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24-hour period.

**8-Hour Composite Sample** means a combination of at least 3 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over an 8-hour period.

**Flow Proportional Composite Sample** means a combination of sample aliquots of at least 100 milliliters collected at periodic intervals such that either the time interval between each aliquot or the volume of each aliquot is proportional to either the stream flow at the time of sampling or the total stream flow since the collection of the previous aliquot.

- (1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirements.
- (2) **Duty to reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.
- (3) **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (4) **Duty to mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- (5) **Proper operation and maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.
- (6) **Permit actions.** This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62 and 40 CFR 122.63. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- (7) **Property rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.
- (8) **Duty to provide information.** The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency upon request, copies of records required to be kept by this permit.

- (9) **Inspection and entry.** The permittee shall allow an authorized representative of the Agency or USEPA (including an authorized contractor acting as a representative of the Agency or USEPA), upon the presentation of credentials and other documents as may be required by law, to:
- (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
  - (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
  - (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.

(10) **Monitoring and records.**

- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.
- (c) Records of monitoring information shall include:
  - (1) The date, exact place, and time of sampling or measurements;
  - (2) The individual(s) who performed the sampling or measurements;
  - (3) The date(s) analyses were performed;
  - (4) The individual(s) who performed the analyses;
  - (5) The analytical techniques or methods used; and
  - (6) The results of such analyses.
- (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

(11) **Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.

- (a) **Application.** All permit applications shall be signed as follows:
  - (1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;
  - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
  - (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
- (b) **Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a

person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- (1) The authorization is made in writing by a person described in paragraph (a); and
  - (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
  - (3) The written authorization is submitted to the Agency.
- (c) **Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
- (d) **Certification.** Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

(12) **Reporting requirements.**

- (a) **Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when:
  - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source pursuant to 40 CFR 122.29 (b); or
  - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements pursuant to 40 CFR 122.42 (a)(1).
  - (3) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- (b) **Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- (c) **Transfers.** This permit is not transferable to any person except after notice to the Agency.
- (d) **Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

- (e) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
- (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).
  - (2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
  - (3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.
- (f) **Twenty-four hour reporting.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24-hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The following shall be included as information which must be reported within 24-hours:
- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit.
  - (2) Any upset which exceeds any effluent limitation in the permit.
  - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit or any pollutant which may endanger health or the environment.  
The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24-hours.
- (g) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12) (d), (e), or (f), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12) (f).
- (h) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.
- (13) **Bypass.**
- (a) **Definitions.**
    - (1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
    - (2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
  - (b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (13)(c) and (13)(d).
- (c) **Notice.**
- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass.
  - (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (12)(f) (24-hour notice).
- (d) **Prohibition of bypass.**
- (1) Bypass is prohibited, and the Agency may take enforcement action against a permittee for bypass, unless:
    - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    - (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
    - (iii) The permittee submitted notices as required under paragraph (13)(c).
  - (2) The Agency may approve an anticipated bypass, after considering its adverse effects, if the Agency determines that it will meet the three conditions listed above in paragraph (13)(d)(1).
- (14) **Upset.**
- (a) **Definition.** Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
  - (b) **Effect of an upset.** An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (14)(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
  - (c) **Conditions necessary for a demonstration of upset.** A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
    - (1) An upset occurred and that the permittee can identify the cause(s) of the upset;
    - (2) The permitted facility was at the time being properly operated; and
    - (3) The permittee submitted notice of the upset as required in paragraph (12)(f)(2) (24-hour notice).
    - (4) The permittee complied with any remedial measures required under paragraph (4).
  - (d) **Burden of proof.** In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

- (15) **Transfer of permits.** Permits may be transferred by modification or automatic transfer as described below:
- (a) Transfers by modification. Except as provided in paragraph (b), a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued pursuant to 40 CFR 122.62 (b) (2), or a minor modification made pursuant to 40 CFR 122.63 (d), to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act.
  - (b) Automatic transfers. As an alternative to transfers under paragraph (a), any NPDES permit may be automatically transferred to a new permittee if:
    - (1) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
    - (2) The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage and liability between the existing and new permittees; and
    - (3) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.
- (16) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:
- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
    - (1) One hundred micrograms per liter (100 ug/l);
    - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter (1 mg/l) for antimony.
    - (3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
    - (4) The level established by the Agency in this permit.
  - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.
- (17) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
- (a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
  - (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
  - (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
- (18) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
- (a) User charges pursuant to Section 204 (b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
  - (b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
  - (c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.
- (19) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.
- (20) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.
- (21) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.
- (22) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both. Additional penalties for violating these sections of the Clean Water Act are identified in 40 CFR 122.41 (a)(2) and (3).
- (23) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.
- (24) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- (25) Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the State. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.
- (26) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
- (27) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board or any court with jurisdiction.
- (28) The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.