

NPDES Permit No. IL0000302
Notice No. 6675c

Public Notice Beginning Date: **February 20, 2014**

Public Notice Ending Date: **March 24, 2014**

National Pollutant Discharge Elimination System (NPDES)
Permit Program

Draft Modified NPDES Permit to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

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

Name and Address of Discharger:

Springfield Coal Company, L.L.C.
3008 Happy Landing Drive
Springfield, Illinois 62711

Name and Address of Facility:

Springfield Coal Company, L.L.C.
Fidelity Mine No. 11
4.5 miles north of Vergennes, Illinois
(Perry County)

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

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

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

The applicant is reclaiming a previous surface coal mine (SIC 1221). Mine operations result in the discharge of alkaline mine drainage.

Public comments are invited on the following proposed modifications. Please limit comments to only the following modifications that are further discussed on Page 8 of this Permit:

Transfer Outfall 006 from Springfield Coal Company, LLC, Fidelity Mine to Knight Hawk Coal, LLC, Red Hawk Mine.

This facility has one (1) existing discharge which are located in Perry County, Illinois. The following information identifies the discharge points, receiving streams, and stream classifications:

<u>Outfall</u>	<u>Receiving Stream</u>	<u>Latitude (North)</u>	<u>Longitude (West)</u>
002	Panther Creek	37° 59' 58"	89° 20' 06"

The stream segments of Panther Creek receiving the discharge from Outfall 002 is not on the 2012 303(d) list of impaired waters.

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

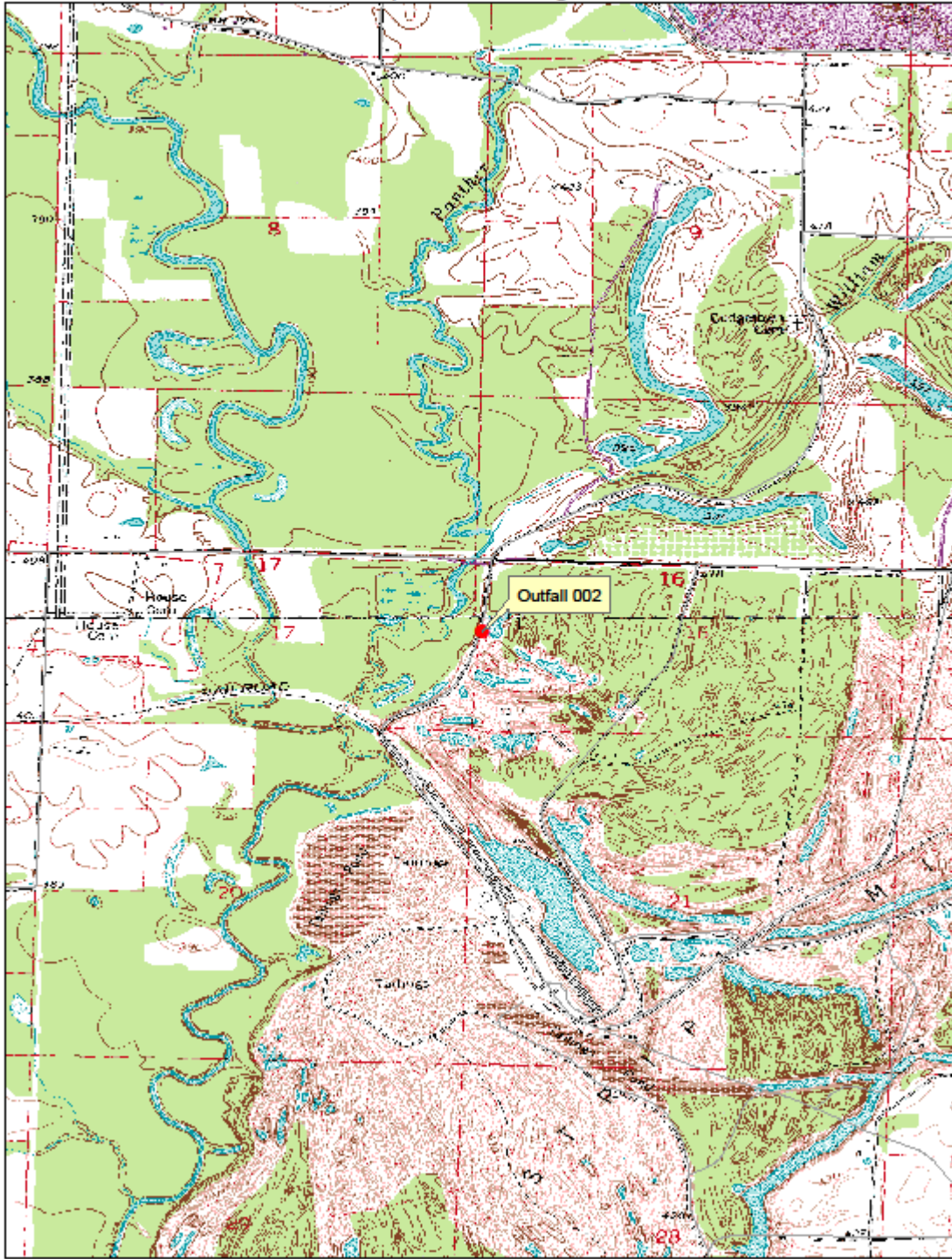
Outfall: 002:

Discharge Condition	Parameters												
	Total Suspended Solids (3) (mg/l)		Iron (total) (3) (4) (mg/l)		pH (3) (S.U.)	Alkalinity/ Acidity (3)	Sulfate (1) (mg/l)	Chloride (mg/l)	Mn (total) (mg/l)	Hardness (5)	Mercury	Flow (MGD)	Settleable Solids (2) (ml/l)
	30 day average	daily maximum	30 day average	daily maximum									
I	35	70	3.5	7.0	6.5-9.0	Alk.>Acid	2000	500	1.0	Monitor only	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	2500	500	-	Monitor only	-	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	2500	500	-	Monitor only	-	Measure When Sampling	-
IV	35	70	3.5	7.0	6.0-9.0	Alk.>Acid	2500	500	1.0	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. 13.
 - 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 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. 13 is not available, monitoring requirements and permit limitations shall revert to Discharge Condition I.
- (1) Sulfate water quality standards and effluent limitations determined in accordance with 35 Ill. Adm. Code 302.208(h).
 - (2) Settleable solids are monitored only as a result of a discharge due to precipitation events which exceed a predetermined 24-hour duration or snowmelt total. Settleable solids effluent limitations for alkaline mine discharges are contained in 35 Ill. Adm. Code 406.110.
 - (3) Effluent standards for mine discharges are contained in 35 Ill. Adm. Code 406.106.
 - (4) Discharges from Outfall 002, being approved prior to July 27, 1987, are subject to a 30-day average effluent limitation for Iron of 3.5 mg/l. Daily maximum effluent concentrations are calculated as twice the 30-day average.
 - (5) Hardness monitoring is required to determine the appropriateness of the sulfate permit limit.

To assist you in identifying the location of the discharges, please refer to the attached map. The permit area for this facility is located in Sections 16, 17, 20, 21, 22, 23, 26, 27, 28, 29, 33 and 34, Township 6 South, Range 2 West, 3rd P.M., Perry County, Illinois.

Springfield Coal Company, L.L.C. - Fidelity Mine No. 11
NPDES No. IL0000302
Perry County
Township 6 South, Range 2 West



NPDES Permit No. IL0000302
Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

Modified NPDES Permit

Expiration Date: November 30, 2015

Issue Date: December 28, 2010
Effective Date: December 28, 2010
Modification Date:

Name and Address of Permittee:

Springfield Coal Company, L.L.C.
3008 Happy Landing Drive
Springfield, Illinois 62711

Facility Name and Address:

Springfield Coal Company, L.L.C.
Fidelity Mine No. 11
4.5 miles north of Vergennes, Illinois
(Perry County)

Discharge Number and Classification:

002 Alkaline Mine Drainage

Receiving waters

Panther 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.

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

LDC:DM:cs/6675c/12-13-13

NPDES Coal Mine Permit

NPDES Permit No. IL0000302

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												
	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. 16	Flow (MGD)	Settleable Solids (ml/l)
	30 day average	daily maximum	30 day average	daily maximum									
I	35	70	3.5	7.0	6.5-9.0	Alk.>Acid	2000	500	1.0	Monitor only	Monitor only	Measure When Sampling	-
II	-	-	-	-	6.0-9.0	-	2500	500	-	Monitor only	-	Measure When Sampling	0.5
III	-	-	-	-	6.0-9.0	-	2500	500	-	Monitor only	-	Measure When Sampling	-
IV	35	70	3.5	7.0	6.0-9.0	Alk.>Acid	2500	500	1.0	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. 13.
- 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. 13 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 Panther Creek which receives 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. IL0000302

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	2000	500	Monitor only	Measure When Sampling	0.5
II	6.0-9.0	2000	500	Monitor only	Measure When Sampling	0.5
III	6.0-9.0	2000	500	Monitor only	Measure When Sampling	-
IV	6.5-9.0	2000	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. 14 for the discharges from Outfall 002 and Panther Creek which receives 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. IL0000302

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:

Outfall: 002 (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 annually by July 28th.

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.

* 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. IL0000302

Construction Authorization No. 8334-10

C.A. Date: October 22, 2010

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

A surface coal mine reclamation operation and concurrent carbon recovery operation consisting of a total of 3468 acres located in Sections 16, 17, 20, 21, 22, 23, 26, 27, 28, 29, 33 and 34, Township 6 South, Range 2 West, Perry County as described in the following paragraphs:

The Erosion Control and Final Drainage Plan submitted with IEPA Log Nos. 3406-94 and 1043-97 contains structures and drainage facilities approved by this construction authorization. The reconstruction plan for Young's Creek is also approved as proposed in Log No. 1043-97.

Additional details of the area and reclamation plan may be found in the following referenced log numbers and IDNR/OMM designations.

IDNR/OMM Permit No. 568-79 contains 667 acres and will be reclaimed as proposed in Log Nos. 4342-94 and 2343-96.

IDNR/OMM Permit No. 825-82 contains 64 acres and will be reclaimed as proposed in Log Nos. 4340-94 and 4367-94.

IDNR/OMM Permit No. 46 contains 2310 acres and will be reclaimed as proposed in Log Nos. 4203-94, 4352-94 and 2325-96.

IDNR/OMM Permit No. 174 contains 427 acres and will be reclaimed as proposed in Log No. 4353-94, however, the outfall from the south pond will not be reconstructed as discussed in Log No. 1238-97.

Carbon Recovery as proposed in Insignificant Permit Revision No. 12 is approved, subject to Condition No. 12. Roads and support facilities may be constructed as proposed.

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	
002	37°	48'	10"	88°	52'	20"	General Use
006	37°	47'	38"	88°	52'	03"	General Use

Outfalls 001 and 006 control runoff from reclaimed mine land and industrial/commercial areas.

Pursuant to information contained in IEPA Log No. 1373-07 this facility was transferred from Freeman United Coal Mining Company to Springfield Coal Company, L.C.C. in which name this permit is issued.

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 and are identified by Log Nos. 2265-78, 8077-80, 8081-80, 7094-81, 5046-83 and 7002-91-A 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.

NPDES Permit No. IL0000302

Construction Authorization No. 8334-10

C.A. Date: October 22, 2010

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 permitted 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. After settling, recirculation water which meets the requirements of 35 Ill. Adm. Code 406.106 and 406.202, may be discharged. The use of additives in the recirculation water which require treatment other than settling to comply with the Act will require a revised permit.
11. Any of the following shall be a violation of the provisions required under 35 Ill. Adm. Code 406.202:
 - a. It is demonstrated that an adverse effect on the environment in and around the receiving stream has occurred or is likely to occur.
 - b. It is demonstrated that the discharge has adversely affected or is likely to adversely affect any public water supply.
 - c. The Agency determines that the permittee is not utilizing Good Mining Practices in accordance with 35 Ill. Adm. Code 406.204 which are fully described in detail in Sections 406.205, 406.206, 406.207 and 406.208 in order to minimize the discharge of total dissolved solids, chloride, sulfate, iron and manganese. To the extent practical, such Good Mining Practices shall be implemented to:
 - i. Stop or minimize water from coming into contact with disturbed areas through the use of diversions and/or runoff controls (Section 406.205).
 - ii. Retention and control within the site of waters exposed to disturbed materials utilizing erosion controls, sedimentation controls, water reuse or recirculation, minimization of exposure to disturbed materials, etc. (Section 406.206).
 - iii. Control and treatment of waters discharged from the site by regulation of flow of discharges and/or routing of discharges to more suitable discharge locations (Section 406.207).

NPDES Permit No. IL0000302

Construction Authorization No. 8334-10

C.A. Date: October 22, 2010

- 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. All groundwater monitoring reports required by OMM for the carbon recovery area shall be submitted to the Agency. Sufficient material will be left to maintain the integrity of the bottom of the impoundment.

NPDES Permit No. IL0000302

Supplemental Construction Authorization No. 8334-10-1

S.C.A. Date: December 19, 2013

Supplemental Authorization is hereby granted to the above designee to construct and operate the mine and mine refuse area, previously approved under Authorization No. 8334-10 dated October 22, 2010. These facilities have been revised as follows:

Pursuant to information provided in IEPA Log No. 5214-13, the monitoring, responsibility and discharge quality liability for Outfall 006 is hereby transferred from Springfield Coal Company, LLC, Fidelity Mine, to Knight Hawk Coal, LLC, Red Hawk Mine under NPDES Permit No. IL0072656. It is noted that the permit area containing Basin and Outfall 006 was previously transferred to Knight Hawk Coal, LLC, Red Hawk Mine; however at that time liability of the discharges from Outfall 006 remained with Springfield Coal Company, LLC, Fidelity Mine. All future monitoring and reporting of discharges from Outfall 006 shall be performed by Knight Hawk Coal, LLC under NPDES Permit No. IL0072656.

During the file review for this permit modification it was determined that the location of Outfall 002 cited in the original Authorization to Construct was incorrect. The corrected location of Outfall 002 is as follows:

Outfall Number	Latitude			Longitude			Receiving Water
	DEG	MIN	SEC	DEG	MIN	SEC	
002	37°	59'	58"	89°	20'	06"	Panther Creek

NPDES Permit No. IL0000302

Special Conditions

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

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

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

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

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

Attn: Compliance Assurance Section

Should electronic filing be available and elected for any periodic monitoring and reporting requirements, the Agency shall be notified via correspondence or e-mail at such time that the electronic filing has been completed.

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

Period	Received by IEPA
January, February, March	April 28
April, May, June	July 28
July, August, September	October 28
October, November, December	January 28

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

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

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

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

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

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

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.

NPDES Permit No. IL0000302

Special Conditions

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

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

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

- a. Each discharge must be monitored for pH and settleable solids annually.
- b. Analysis of samples must be submitted with second quarter Discharge Monitoring Reports. A map with discharge locations must be included in this submittal.
- c. If discharges can be shown to be similar, a plan may be submitted by November 1 of each year preceding sampling to propose grouping of similar discharges and/or update previously submitted groupings. If updating of a previously submitted plan is not necessary, a written notification to the Agency indicating such is required. Upon approval from the Agency, one representative sample for each group may be submitted.
- d. Outfalls 010 and 005 are hereby designated at sampling points for collection of annual storm flow samples.

Special Condition No. 13: Sediment Pond Operation and Maintenance (Outfall 002):

- a. No discharge is allowed from Outfall Nos. 002 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
002	1.31:1

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. 002 shall be monitored and reported for Discharge Rate, Sulfate, Chloride and Hardness.

- b. The following sampling and monitoring requirements are applicable to flow in Panther Creek which receives the discharges from Outfall 002.
 - 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.

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- ii. Panther Creek 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. Panther Creek shall be monitored and reported annually for Discharge Rate, Sulfate, Chloride and Hardness upstream of the associated outfall.

Special Condition No. 14: Sediment Pond Operation and Maintenance (Outfall 002 - Reclamation):

- a. For discharges resulting from precipitation events, in addition to the alternate effluent (Discharge Condition Nos. II and III) monitoring requirements, as indicated on the applicable effluent pages of this Permit, discharges from Outfalls 002 and 006 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 Panther Creek and Young's Creek which receive discharges from Outfall 002.
 - 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. Panther 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. Panther Creek shall be monitored and reported annually for Discharge Rate, Chloride, Sulfate and Hardness upstream of the associated outfall.

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