

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

**Peabody Coulterville Mining, L.L.C.
Gateway Mine
Perry and Randolph Counties**

**Public Hearing
Wednesday, June 8, 2011 at 6:00 p.m.**

**Sparta City Council Chambers
Sparta City Hall
114 West Jackson Street
Sparta, Illinois 62286**

The Illinois EPA Bureau of Water has prepared a draft renewed National Pollutant Discharge Elimination System (NPDES) permit with modification for Peabody Coulterville Mining, L.L.C., whose address is c/o James F. Tolen, 7100 Eagle Crest Boulevard, Suite 200, Evansville, IN 47715-8152. The Gateway Mine facility is located in both Perry and Randolph Counties, approximately two miles south of Coulterville, Illinois.

The Illinois EPA is holding a hearing to accept comments from the public on the proposed reissuance of a permit with modifications for this project, prior to making a final decision on the application.

The NPDES permit covering the Gateway Mine is being transferred from Coulterville Coal Company, L.L.C. – Gateway Mine to Peabody Coulterville Mining, L.L.C. – Gateway Mine. This permit covers a total of 933 acres and includes seven (7) discharges to unnamed tributaries of Mary's River and Plum Creek. All of the receiving waters in this permit are 7Q10 zero-flow General Use waters. None of the unnamed tributaries have been assessed by the Agency and therefore are not listed in the draft 2010 Illinois Integrated Water Quality Report and Section 303(d) List. However, Mary's River, (Segment ID II-02), and Plum Creek, (Segment ID OZC-01) have been assessed and fully support Aquatic Life Uses and are not on the draft 2010 Illinois Integrated Water Quality Report and Section 303(d) List.

This permit is being modified to:

- Delete Outfall 005 and 20 acre area tributary to this basin, as the watershed to the basin has been reclaimed in accordance with 35 Ill. Adm. Code 405.109 and the approved abandonment plan for the area,
- Delete Outfall 008, as watershed to the basin will be controlled by the freshwater lake and will discharge through proposed Outfall 009,
- incorporate eight parcels of additional area totaling 84.68 acres,

- incorporate utilization of water treatment plant lime sludge for neutralization of potentially acidic coal refuse, which was previously approved under state Operating permits,
- incorporate the disposal of coal combustion waste (CCW) in conjunction with coal refuse disposal, which was previously approved under state construction and operating permits, and
- incorporate additional approvals for utilization of water treatment plant lime sludge for neutralization of potentially acidic coal refuse and sewage treatment sludge as a soil amendment.

The Illinois EPA has made a tentative determination to reissue this NPDES permit with modifications for discharge into waters of the state in accordance with 35 Illinois Administrative Code (IAC) Subtitle C (*Water Pollution*), Subtitle D (*Mine Related Water Pollution*), the Illinois Environmental Protection Act and the federal Clean Water Act.

A copy of the draft NPDES permit and the public notice/fact sheet can be viewed on the Illinois EPA website: <http://www.epa.state.il.us/public-notices/2011/peabody-coulterville-gateway/index.pdf>

Additionally, the draft permit, public notice/fact sheet, regulations governing the conduct of the hearing and other documents can be reviewed and copied at the Illinois EPA, 1021 N. Grand Avenue East, Springfield, Illinois. Please call 217-782-0610 for an appointment.

Inquiries about the draft modified permit IL0062189 (public notice beginning date: January 28, 2011) should be directed to Larry Crislip, Manager, Permit Section, Illinois EPA Mine Pollution Control Program, 2309 W. Main St., Marion, IL, 618-993-7200, e-mail: Larry.Crislip@Illinois.gov.

The hearing will be held under the provisions of 35 IAC 166, *Procedures for Permit and Closure Plan Hearings*, which can be found online at: <http://www.ipcb.state.il.us/documents/dsweb/Get/Document-11865>.

The hearing will be conducted in accordance with provisions of 35 IAC 309.115 through 309.119. Requests for special needs interpreters must be made to the Illinois EPA hearing officer by May 16, 2011.

The Illinois EPA welcomes substantive written comments. Written comments must be postmarked or e-mailed **by midnight, July 8, 2011**, when the hearing record closes. E-mails must specify **Gateway Mine NPDES** in the subject line and must be sent to: epa.publichearingcom@illinois.gov. The hearing record is a file containing the hearing transcript and written comments. Comments need not be notarized and should be sent to:

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

Phone 217-558-8280
TDD (hearing impaired) 217-782-9143