INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr.
Governor

Thomas W. Easterly
Commissioner

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

September 15, 2010

Mr. James F. Tolen
Peabody Midwest Mining, LLC
7100 Eagle Crest Boulevard, Suite 200
Evansville, Indiana 47715

Dear Mr. Tolen:

Re: NPDES General Permit No. ING040002
IDNR Permit No. S- 0222
Peabody Midwest Mining, LLC- Viking Mine
Knox Pit
4421 N. Bicknell Road
Bicknell, Indiana 47512
Knox County

Our office has received your Notice of Intent (NOI) submittal in regards to the above-referenced facility. We are pleased to inform you that the submittal is sufficient to comply with the NOI requirements in 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing, and Reclamation Activities. The general permit rule requirements are contained in 327 IAC 15-1 through 15-4 and 15-7.

The NPDES general permit identification number assigned to this facility in the previous approval will be used again in this approval. This number will be used as an identification number and should be included on all correspondence submitted to IDEM in relation to this NPDES general permit. The NPDES general permit number which has been assigned to this facility is:

ING040002.

Due to the fact that 327 IAC 15-7 is a permit by rule, you will NOT be receiving an actual permit. However you will be responsible for following the general rule requirements contained in 327 IAC 15-1 through 15-4 and 15-7, which were sent to you with your original approval letter. Included in general permit rule 327 IAC 15-7 is the requirement for periodic reporting of several effluent parameters. This reporting will continue to be required using the forms that were sent to you previously. Should you need additional copies of this form it is also available on the internet at the following website:

http://www.in.gov/idem/5104.htm

327 IAC 15 is also available on the internet at the following website:

http://www.in.gov/idem/4087.htm

Additionally, you will soon be receiving a supply of the computer generated preprinted federal NPDES DMR forms. Both the state and federal forms need to be completed and submitted on a routine basis. If you do not receive the preprinted DMR forms in a timely manner, please call this office at 317/232-8670.

Renewal of coverage for the facility will include all outfalls listed on Attachment 1 to this correspondence. Since the expiration date of IDEM's previous approval of your facility to operate under 327 IAC 15-7 is October 31, 2010, this renewal of coverage under 327 IAC 15-7 shall become effective on **November 1, 2010**, unless a person aggrieved or adversely affected by the acceptance appeals this decision. Coverage under this general permit rule expires on **October 31, 2015**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management no later than ninety (90) days prior to the date of expiration.

Please note that any person who is adversely affected or aggrieved by this acceptance for coverage under the cited NPDES general permit rule may, within eighteen (18) days from the mailing date of this notification, appeal this acceptance by filing a written petition for administrative review with the Office of Environmental Adjudication, in accordance with IC 4-21.5-3-7. This petition constitutes a request for an adjudicatory hearing. The procedure for appeal is outlined in more detail on the attached page.

The Office of Environmental Adjudication will provide parties who request review of this acceptance for coverage with notice of prehearing conferences, preliminary hearings, hearing, and stays or orders disposing of all proceedings. Nonparties may receive such notices without intervening and formally becoming parties in the proceeding by requesting copies of such notices from the Office of Environmental Adjudication.

Please note that in accordance with 327 IAC 15-7-5(c), IDEM shall public notice its decision to accept your facility for coverage under the general permit rule.

If you have any questions regarding this letter, please contact Ms. Sheri L. Jordan of our staff at 317/ 232-8703.

Sincerely,

Catherine Hess

Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Slj/
cc: Knox County Health Department
IDNR, Division of Reclamation

ATTACHMENT 1

Peabody Midwest Mining LLC- Viking Mine – Knox Pit

NPDES PERMIT NO. **ING040002**

EFFECTIVE DATE: **November 1, 2010**

IDNR PERMIT NUMBER **S-0222**

OUTFALLS PERMITTED FOR THIS FACILITY

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
003	SB-003	38°, 43', 52.49"	87°, 16', 33.84"	Alkaline	Unnamed tributary to Indian Creek
004	SB-004	38°, 43', 14.46"	87°, 16', 59.21"	Reclamation	Unnamed tributary to Ben's Creek
005	SB-005	38°, 43', 23.95"	87°, 17', 26.29"	Reclamation	Unnamed tributary to Ben's Creek
006	SB-006	38°, 42', 48.03"	87°, 17', 43.79"	Alkaline	Ben's Creek
007	SB-007	38°, 43', 0.9"	87°, 18', 23.16"	Reclamation	Unnamed tributary to Ben's Creek
009	SB-009	38°, 43', 37.9"	87°, 16', 43.35"	Alkaline	Unnamed tributary to Indian Creek
010	SB-010	38°, 43', 7.7"	87°, 18', 31.46"	Reclamation	Unnamed tributary to Ben's Creek
012	SB-012	38°, 43', 6.7"	87°, 18', 35.9"	Alkaline	Unnamed tributary to Ben's Creek
013	SB-013	38°, 42', 51.3"	87°, 18', 44.6"	Reclamation	Unnamed tributary to Ben's Creek
020	SB-020	38°, 45', 24"	87°, 17', 17.09"	Alkaline	Indian Creek
025	SB-021	38°, 44', 23.3"	87°, 16', 39.7"	Alkaline	Unnamed tributary to Indian Creek
026	SB-026	38°, 45', 7.95"	87°, 17', 39.9"	Alkaline	Unnamed tributary to Indian Creek
027	SB-027	38°, 44', 57.7"	87°, 17', 48.5"	Alkaline	Unnamed tributary to Indian Creek
028	SB-028	38°, 45', 7.95"	87°, 17', 40.09"	Alkaline	Indian Creek
029	SB-029	38°, 44', 51.5"	87°, 18', 3.7"	Alkaline	Unnamed tributary to Indian Creek
030	SB-030	38°, 45', 28"	87°, 17', 30"	Alkaline	Indian Creek
031	SB-031	38°, 45', 25"	87°, 18', 02"	Alkaline	Indian Creek
032	SB-032	38°, 45', 30"	87°, 18', 26"	Alkaline	Indian Creek
033	SB-033	38°, 45', 08"	87°, 17', 59"	Alkaline	Unnamed tributary to Indian Creek
034	SB-034	38°, 45', 06"	87°, 17', 59"	Alkaline	Unnamed tributary to Indian Creek

The following outfalls have been removed and are no longer covered under this permit:

002	SB-002	38°, 44', 21.02"	87°, 17', 6.8"	Outfall removed	Unnamed tributary to Indian Creek
011	SB-011	38°, 44', 16.08"	87°, 17', 2.05"	Outfall removed	Unnamed tributary to Indian Creek

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PUBLIC NOTICE NO. 2010 – 9D -GP

DATE OF NOTICE: September 15, 2010

The Office of Water Quality issues the following **NPDES GENERAL PERMIT.**

RENEWAL

PEABODY MIDWEST MINING, LLC. – VIKING MINE KNOX PIT, Permit No. ING040002, KNOX COUNTY, Bicknell, IN. This facility will discharge non-process wastewater to Indian Creek and Ben's Creek. The Notice of Intent (NOI) letter submitted complies with the requirements in 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing and Reclamation Activities. Permit Writer: Sheri Jordan at 317/232-8703.

PROCEDURES TO APPEAL

General Permit documents are available for inspection at IDEM, Office of Water Quality/Permit Section, IGCN, 100 N Senate Ave, Indianapolis, IN, Room 1203, from 9 - 4, Monday-Friday (copies 10¢ per page). The General Permit is also available at the local Health Department. Please tell others you think would be interested in this matter.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication **within** eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.
Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) **within** 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing;
- identify the Final Permit Rule terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit rule.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit Rule to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address here:
Phone: 317/232-8591.

Environmental Law Judge
Office of Environmental Adjudication
IGC – North Building- Rm 501
100 N. Senate Avenue
Indianapolis IN 46204

Stay Time frame: If the Petition (s) is filed **within** eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the phone listed above.

Indiana Department of Environmental Management

NPDES General Permit Notice of Intent (NOI) Letter Submittal Application
327 IAC 15-7 Facilities Engaging in Mining of Coal, Coal Processing and Reclamation Activities

IDEM OFFICE OF WATER QUALITY
2010 JUL 13 A 10: 19

I. PURPOSE OF SUBMITTAL:

Please check one box. Also provide existing permit number and reason for modification if applicable. You may attach additional sheets if they are needed.

NEW	RENEW	MODIFY	EXISTING PERMIT NO.	IF MODIFICATION WHAT IS CHANGING
	X		ING040002	

II. GENERAL INFORMATION

Complete all boxes in sections **a and b** for **name of company and person who is to receive the permit.** Complete boxes in sections **c, d, e, f, g, h, and i** or fill in N/A for non-applicable as they apply for **the facility that the permit is to apply to.**

a. APPLICANT NAME (TO THE ATTENTION OF)	e. FACILITY SIC CODE	f. FACILITY COUNTY	g. DNR FACILITY NUMBER
Peabody Midwest Mining, LLC. Attn: James F. Tolen	1211	Knox	S-00222

b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS		
COMPANY NAME Peabody Midwest Mining, LLC.		
STREET ADDRESS 7100 Eagle Crest Boulevard, Suite 100		
CITY Evansville,	STATE IN	ZIPCODE 47715

h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER					
Latitude			Longitude		
Degrees	minutes	seconds	degrees	minutes	seconds
38	44	06	87	17	44

c. FACILITY NAME
Peabody Midwest Mining, LLC. – Viking Mine – Knox Pit

i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION			
Township	Range	Section	Quartersection
3N 4N	8W	See Attachment II. i.	

d. FACILITY MAILING ADDRESS		
STREET ADDRESS 4421 N. Bicknell Road		
CITY Bicknell	STATE IN	ZIP CODE 47512

j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM IId		
STREET ADDRESS		
CITY N/A	STATE N/A	ZIP CODE N/A

III. CONTACT INFORMATION AUTHORIZED SIGNATORY

This section applies to the responsible corporate officer and/or alternate person who is authorized in writing by the responsible corporate officer to carry signatory responsibilities for the facility under 327 IAC 15-4-3 (g). Please complete all boxes or mark N/A for non-applicable. If the signatory is not a corporate officer please also submit the letter from the responsible corporate officer granting him/her this authority.

a. APPLICANT SIGNATORY CONTACT PERSON AND TITLE	d. ALTERNATE PERSON TO ANSWER QUESTIONS
James F. Tolen, *Authorized Representative*	N/A
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE	**e. ALTERNATE PERSON'S TELEPHONE**
(812) 434-8573	N/A
c. APPLICANT EMAIL ADDRESS	**f. ALTERNATE PERSON'S EMAIL ADDRESS**
jftolen@peabodyenergy.com	N/A

IDEM - AR
PAID

IDEM - OEA RECEIVABLES
2010 JUL 13 P 3: 50

IV. CONTACT INFORMATION OTHER:

DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION	c. CONTACT AND COMPANY NAME James F. Tolen Peabody Midwest Mining, LLC.		
a. CONTACT TELEPHONE NUMBER (812) 434-8573	d. STREET ADDRESS 7100 Eagle Crest Boulevard, Suite 100		
b. CONTACT EMAIL ADDRESS jftolen@peabodyenergy.com	e. CITY Evansville	f. STATE IN	g. ZIP CODE 47715
ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS	j. COMPANY AND CONTACT PERSON NAME James F. Tolen		
h. CONTACT TELEPHONE NUMBER (812) 434-8573	k. STREET ADDRESS 7100 Eagle Crest Boulevard, Suite 100		
i. CONTACT EMAIL ADDRESS jftolen@peabodyenergy.com	l. CITY Evansville	m. STATE IN	n. ZIP CODE 47715
OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW)	q. COMPANY AND CONTACT PERSON NAME N/A		
N/A			
o. CONTACT TELEPHONE NUMBER N/A	r. STREET ADDRESS N/A		
p. CONTACT EMAIL ADDRESS N/A	s. CITY N/A	t. STATE N/A	u. ZIP CODE N/A

V. RULE QUALIFICATION:

The purpose of this rule is to regulate wastewater discharges from surface mining, underground mining, and reclamation projects which utilize sedimentation basin treatment for pit dewatering and surface run-off and to require best management practices for storm water run-off.

Does this facility meet these requirements? (please check one) YES X NO

Please provide a brief description of the facility operation that results in the discharge. You may attach additional sheets.

This facility is a surface coal mine. Stormwater is collected, and passed through sediment treatment structures designed by professional engineers to detain a 10year-24hour storm event.

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER **OR if g is YES** name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
See Attachment VI										Y / N	
										Y / N	
										Y / N	
										Y / N	
										Y / N	
										Y / N	

* DWBF – Dry Weather Base Flow

Attachment VI

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER **OR if g is YES** name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
002	002	38	44	21	87	17	07	0	Dropped	No	Unnamed tributary to Indian Creek
003	003	38	43	52	87	16	34	0	Alkaline	No	Unnamed tributary to Indian Creek
004	004	38	43	14	87	16	59	0	Reclamation	No	Unnamed tributary to Ben's Creek
005	005	38	43	24	87	17	26	0	Reclamation	No	Unnamed tributary to Ben's Creek
006	006	38	42	48	87	17	44	0	Alkaline	No	Ben's Creek
007	007	38	43	01	87	18	23	0	Alkaline	No	Unnamed tributary to Ben's Creek
009	009	38	43	38	87	16	43	0	Alkaline	No	Unnamed tributary to Indian Creek
010	010	38	43	08	87	18	31	0	Alkaline	No	Unnamed tributary to Ben's Creek
011	011	38	44	16	87	17	02	0	Dropped	No	Unnamed tributary to Indian Creek
012	012	38	43	07	87	18	36	0	Alkaline	No	Unnamed tributary to Ben's Creek
013	013	38	42	51	87	18	45	0	Reclamation	No	Unnamed tributary to Ben's Creek
020	020	38	45	24	87	17	17	0	Alkaline	No	Indian Creek
025	025	38	44	23	87	16	40	0	Alkaline	No	Unnamed tributary to Indian Creek
026	026	38	45	08	87	17	40	0	Alkaline	No	Unnamed tributary to Indian Creek
027	027	38	44	58	87	17	49	0	Alkaline	No	Unnamed tributary to Indian Creek
028	028	38	45	08	87	17	40	0	Alkaline	No	Indian Creek
029	029	38	44	52	87	18	04	0	Alkaline	No	Unnamed tributary to Indian Creek
030	030	38	45	28	87	17	30	0	Alkaline	No	Indian Creek
031	031	38	45	25	87	18	02	0	Alkaline	No	Indian Creek
032	032	38	45	30	87	18	26	0	Alkaline	No	Indian Creek
033	033	38	45	08	87	17	59	0	Alkaline	No	Unnamed tributary to Indian Creek
034	034	38	45	06	87	17	59	0	Alkaline	No	Unnamed tributary to Indian Creek

*DWBF – Dry Weather Base Flow ** unconstructed

VII. OUTFALL INFORMATION FOR MODIFICATIONS: Please provide the following if this is a request to ADD, DELETE, or CHANGE MINE DRAINAGE STATUS of one or more outfalls:

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. DEL, ADD, or CHANGE	d. DATE OF CHANGE	e. REASON FOR THE CHANGE: EXPLAIN IN DETAIL AND ATTACH CONFIRMING DOCUMENTATION IN THE FORM OF INSPECTORS REPORTS, LAB DATA, ETC.

VIII. TOPOGRAPHICAL MAP

A topographical map must be submitted with this application. The map must include the following items:

(A) the location of the coal mining operation, including contiguous facility property lines, shown clearly and identified by name and by mark;
(B) the location of each numbered outfall shown clearly and identified by number and by mark;
(C) the receiving streams and tributaries to them that each outfall discharges to shown clearly and identified by name;
(D) any existing permanent structures or roads in the area shown clearly and identified by name.

Please attach this completed map to the application and submit both together.

IX. PROOF OF PUBLICATION

It is required that a public notice statement be published in a newspaper of largest circulation in the area where the discharge(s) will be occurring. This publication must be in the newspaper for a minimum of one day and must include the following language: (your facility name, address, address of the location of the discharging facility, and the streams receiving the discharge(s)) "is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirement under 327 IAC 15-7 to discharge wastewater associated with the mining of coal, coal processing and /or reclamation activities. Any person aggrieved by this action may appeal in writing to the Environmental Law Judge of the Office of Environmental Adjudication for an adjudicatory hearing on the question of whether this facility should operate under this NPDES general permit rule. An appeal must be postmarked no later than fifteen (15) days from the date of this public notice. Such a written request for an adjudicatory hearing must:

(A) state the name and address of the person making the request;
(B) identify the interest of the person making the request;
(C) identify any persons represented by the person making the request;
(D) state with particularity the reasons for the request;
(E) state with particularity the issues proposed for consideration at the hearing; and
(F) state with particularity the reasons why the NPDES general permit rule should not be available to the discharger identified in this notice.

Any such request shall be mailed or delivered to:
Office of Environmental Adjudication
Indiana Government Center – North
100 North Senate Avenue, Room N501
Indianapolis, Indiana 46204"

Please attach proof of publication of this statement from the newspaper to the application and submit both together.

See Attachment IX

Attachment VI

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. is this discharge to a STORM SEWER	h. Name of RECEIVING WATER **OR if g is YES** name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec	deg	min	sec				
002	002	38	44	21	87	17	07	0	Dropped	No	Unnamed tributary to Indian Creek
003	003	38	43	52	87	16	34	0	Alkaline	No	Unnamed tributary to Indian Creek
004	004	38	43	14	87	16	59	0	Reclamation	No	Unnamed tributary to Ben's Creek
005	005	38	43	24	87	17	26	0	Reclamation	No	Unnamed tributary to Ben's Creek
006	006	38	42	48	87	17	44	0	Alkaline	No	Ben's Creek
007	007	38	43	01	87	18	23	0	Reclamation	No	Unnamed tributary to Ben's Creek
009	009	38	43	38	87	16	43	0	Alkaline	No	Unnamed tributary to Indian Creek
010	010	38	43	08	87	18	31	0	Reclamation	No	Unnamed tributary to Ben's Creek
011	011	38	44	16	87	17	02	0	Dropped	No	Unnamed tributary to Indian Creek
012	012	38	43	07	87	18	36	0	Alkaline	No	Unnamed tributary to Ben's Creek
013	013	38	42	51	87	18	45	0	Reclamation	No	Unnamed tributary to Ben's Creek
020	020	38	45	24	87	17	17	0	Alkaline	No	Indian Creek
025	025	38	44	23	87	16	40	0	Alkaline	No	Unnamed tributary to Indian Creek
026	026	38	45	08	87	17	40	0	Alkaline	No	Unnamed tributary to Indian Creek
027	027	38	44	58	87	17	49	0	Alkaline	No	Unnamed tributary to Indian Creek
028	028	38	45	08	87	17	40	0	Alkaline	No	Indian Creek
029	029	38	44	52	87	18	04	0	Alkaline	No	Unnamed tributary to Indian Creek
030	030	38	45	28	87	17	30	0	Alkaline	No	Indian Creek
031	031	38	45	25	87	18	02	0	Alkaline	No	Indian Creek
032	032	38	45	30	87	18	26	0	Alkaline	No	Indian Creek
033	033	38	45	08	87	17	59	0	Alkaline	No	Unnamed tributary to Indian Creek
034	034	38	45	06	87	17	59	0	Alkaline	No	Unnamed tributary to Indian Creek

*DWBF – Dry Weather Base Flow ** unconstructed

X. POTENTIALLY AFFECTED PERSONS FORM

Pursuant to IC 4-21.5 it is required that a Potentially Affected Person form be completed and submitted with this application. The form and instructions are attached.

XI. REQUIRED FEES:

A $50 application fee is required to be submitted with applications for new permits, permit modifications, and permit renewals in accordance with IC 13-18-20-12. In addition the $500 annual fee is required to be submitted for NEW APPLICATIONS at the time of submitting the application.

A check payable to IDEM in the amount of $ 50.00 is attached to this application.

XII. NOTIFICATION OF INDIANA DEPARTMENT OF NATURAL RESOURCES

It is required in all circumstances that a copy of this application is sent to the Indiana Department of Natural Resources (IDNR) Division of Reclamation in Jasonville, Indiana.

I have forwarded a copy of this application as is required to Mr. Brad Loveless, Indiana Department of Natural Resources, Division of Reclamation, R. R. 2, Box 129, Jasonville, IN 47438-9517 on this date.

XIII. CERTIFICATION STATEMENT

It is required by 327 IAC 15-4-3(g)(3) that the following statement shall be included in the application. The authorized signatory representative (as defined by 327 IAC 15-5-3(g)(2) and identified in item IIIa above) makes the following certification by signing and dating this section of the application below:

"I certify under penalty of law that this document and all its 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."

James F. Tolen, ***Authorized Representative***	**(812) 434-8573**
Name and official title (type or print)	Area Code and phone No.
James F. Tolen	07/08/2010
Signature	Date signed

Submit completed form and attachments to the following address:

Indiana Department of Environmental Management
Office of Water Quality – Mail Code 65-42
NPDES Permits Section
100 North Senate Avenue
Indianapolis, Indiana 46204-2251