



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

VIA ELECTRONIC MAIL
(Jboswell@peabodyenergy.com)

September 25, 2020

Mr. James Boswell, Authorized Representative
Peabody Midwest Mining, LLC
566 Dickeyville Rd.
Lynnville, IN 47619

Dear Mr. Boswell:

Re: IDEM Approval of Renewal & Modification of
NPDES General Permit Coverage ING040002
IDNR Permit No. P-00222
Peabody Midwest Mining, LLC
Viking Mine – Knox Pit
4421 N. Bicknell Rd., Bicknell, IN
Knox County

Our office has received your NPDES Notice of Intent (NOI) for the above-referenced facility. We are pleased to inform you that the submittal is sufficient to comply with the NOI requirements for 327 IAC 15-7, and that your facility's NPDES general permit coverage will be renewed. We have also processed and approved the modification portion of your request to delete Outfalls 010 and 012 from coverage since the mine drainage areas for both of these two outfalls have been fully reclaimed.

We have reviewed your request and have determined that the activities associated with it will not violate the antidegradation rules as set forth in 327 IAC 2-1.3. Our office has further determined that the request will not affect this facility's eligibility for coverage under the general permit rules outlined in 327 IAC 15-1 through 15-4 and 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing, and Reclamation Activities. Therefore, your petition to renew permit coverage as is described in your NOI has been approved in accordance with Indiana rules promulgated under 327 IAC 15-7 and 327 IAC 2-1.3. Coverage for the facility will include all outfalls listed on the first table of Attachment 1 to this correspondence.

The current general permit coverage for this facility will expire on September 30, 2020, therefore, **renewal of coverage will begin on October 1, 2020.** In order to receive authorization to discharge beyond this date, you are required to submit a renewal NOI to IDEM no later than ninety (90) days prior to the date of expiration.

You will continue to be required to follow all terms and conditions of 327 IAC 15-7. One condition of your permit requires periodic reporting of several effluent parameters. You are required to submit both federal discharge monitoring reports

(DMRs) and state Monthly Monitoring Reports (MMRs) on a routine basis. The MMR form can be found on IDEM's web site at <http://www.in.gov/idem/cleanwater/2396.htm>.

Please note that IDEM no longer accepts paper DMR or MMR forms. All NPDES permit holders are required to submit their monitoring data to IDEM using NetDMR. Information about NetDMR is available on the IDEM website at <http://IN.gov/idem/cleanwater/2422.htm>, or you may contact Helen Demmings (317) 232-8815. All current agency rules, including the general NPDES permits-by-rule under 327 IAC 15, are posted at <http://www.in.gov/idem/legal/2370.htm>.

IDEM is required to serve notice of its decision to renew your facility's coverage under the general permit-by-rule in accordance with the requirements of 327 IAC 5-3-14. It should also be noted that any appeal must be filed under procedures outlined in IC 13-15-6, IC 4-21.5, and the enclosed Public Notice. The appeal must be initiated by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of this letter. Addresses are as follows:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room N103
100 North Senate Avenue
Indianapolis, IN 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, IN 46204

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.

Questions regarding this letter may be directed to Ms. C. Anne Burget of our staff at (317) 234-8745 or owqwwper@idem.IN.gov.

Sincerely,

Catherine Hess

Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Attachments

cc: Knox County Health Dept.
Ms. Jayne Peltier, IDNR, Division of Reclamation (JPeltier1@dnr.IN.gov)
Ms. Andrea Schaller, U.S. EPA, Region 5 (Schaller.Andrea@EPA.gov)
Andrew Nelson, Peabody Midwest Mining, LLC (Anelson@peabodyenergy.com)

ATTACHMENT 1

PEABODY MIDWEST MINING, LLC – VIKING MINE KNOX PIT

NPDES GENERAL PERMIT APPROVAL # ING040002

IDNR PERMIT # P-00222

EFFECTIVE DATE: **OCTOBER 1, 2020**

Discharges from the following outfalls are permitted under the NPDES General Permit:

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
006	SB-006	38°, 42', 46"	-87°, 17', 47"	Post-Mining	Ben's Creek
025	SB-021	38°, 44', 23"	-87°, 16', 40"	Post-Mining	Unnamed tributary to Indian Creek

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

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
002	SB-002	38°, 44', 21.02"	-87°, 17', 6.8"	Fully reclaimed	Unnamed trib to Indian Creek
003	SB-003	38°, 43', 52."	-87°, 16', 34"	Fully reclaimed	Unnamed trib to Indian Creek
004	SB-004	38°, 43', 14.46"	-87°, 16', 59.21"	Fully reclaimed	Unnamed trib to Ben's Creek
005	SB-005	38°, 43', 23.95"	-87°, 17', 26.29"	Fully reclaimed	Unnamed trib to Ben's Creek
007	SB-007	38°, 43', 0.9"	-87°, 18', 23.16"	Fully reclaimed	Unnamed trib to Ben's Creek
009	SB-009	38°, 43', 36"	-87°, 16', 45"	Fully reclaimed	Unnamed trib to Indian Creek
010	SB-010	38°, 43', 3"	-87°, 18', 31"	Fully Reclaimed	Unnamed tributary to Ben's Creek
011	SB-011	38°, 44', 16.08"	-87°, 17', 2.05"	Fully reclaimed	Unnamed trib to Indian Creek
012	SB-012	38°, 43', 7"	-87°, 18', 36"	Fully Reclaimed	Unnamed tributary to Ben's Creek
013	SB-013	38°, 42', 51.3"	-87°, 18', 44.6"	Fully reclaimed	Unnamed trib to Indian Creek
020	SB-020	38°, 45', 24"	-87°, 17', 17.09"	Fully reclaimed	Indian Creek
027	SB-027	38°, 44', 57.7"	-87°, 17', 48.5"	Fully reclaimed	Unnamed trib to Indian Creek
028	SB-028	38°, 45', 9"	-87°, 16', 19"	Fully Reclaimed	Indian Creek
029	SB-029	38°, 44', 50"	-87°, 18', 4"	Fully Reclaimed	Unnamed trib to Indian Creek
030	SB-030	38°, 45', 28"	-87°, 17', 30"	Never built	Indian Creek
031	SB-031	38°, 45', 25"	-87°, 18', 02"	Never built	Indian Creek
032	SB-032	38°, 45', 30"	-87°, 18', 26"	Never built	Indian Creek
033	SB-033	38°, 45', 08"	-87°, 17', 59"	Fully reclaimed	Unnamed trib to Indian Creek
034	SB-034	38°, 45', 06"	-87°, 17', 59"	Fully reclaimed	Unnamed trib to Indian Creek

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 20200924 –ING040002 –GP

DATE OF NOTICE: SEPTEMBER 25, 2020

The Office of Water Quality approves the following NPDES GENERAL PERMIT coverage:

RENEWAL and MODIFICATION of COVERAGE UNDER 327 IAC 15-7 for Facilities Engaged in the Mining of Coal, Coal Processing, and Reclamation Activities

PEABODY MIDWEST MINING, LLC, VIKING MINE KNOX PIT, Permit Coverage No. ING040002, located at 4421 N. Bicknell Rd, Bicknell, IN (**KNOX COUNTY**). The permittee submitted a Notice of Intent to renew and modify its general NPDES permit coverage under 327 IAC 15-7 (for Facilities Engaged in the Mining of Coal, Coal Processing, and Reclamation Activities). Outfalls 010 and 012, both of which formerly discharged to unnamed tributaries to Ben's Creek, have been deleted/removed. The mining areas for both outfalls have been fully reclaimed. Two active outfalls remain, both of which are in post-mining status. Outfall 006 discharges to Ben's Creek and Outfall 025 discharges to an unnamed tributary to Indian Creek. This renewal of coverage will become effective on October 1, 2020. For more information please contact Ms. C. Anne Burget at (317) 234-8745 or via email at cburget@idem.IN.gov.

Notice of Right to Administrative Review

If you wish to challenge this permit, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA) and serve a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room N103
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the permit.
3. A statement of facts demonstrating that each petitioner is:
 - a. a person to whom the order is directed;
 - b. aggrieved or adversely affected by the permit; or
 - c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the permit.
7. The permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the permit. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a permit stayed during the administrative review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.

If you have procedural or scheduling questions regarding your Petition for Administrative Review please refer to OEA's website at <http://www.in.gov/oea>.



Peabody Midwest Mining, LLC
566 Dickeyville Rd
Lynnville, IN 47619
812.922.1015

July 9, 2020

Indiana Dept. of Environmental Management
Office of Water Management
Permits Section
100 North Senate Avenue
Indianapolis, IN 46206-6015

**RE: Notice of Intent to Comply with 327 IAC 15-7
Peabody Midwest Mining, LLC - Viking Mine – Knox Pit
NPDES General Permit ING040062 – RENEWAL ADDENDUM**

Permit Administrator:

On behalf of Peabody Midwest Mining, LLC, I am submitting an addendum to the renewal of NPDES General Permit ING040062.

Peabody requests that Outfalls 010 and 012 be terminated from the permit. DNR conducted a complete inspection of Viking Mine Knox Pit on January 7, 2020 and found that sediment basins 010 and 012 can be requested to be removed from monitoring. The drainage areas reporting to sediment basins 010 and 012 are stable and have been approved as either phase II or phase III bond release.

I have attached the DNR inspection report (Attachment 2) suggesting the outfall 010 and 012 be removed from the permit. The application form, attachment VI, and potentially affected parties list (Attachment 1) have been updated to reflect the removal of these basins. The remainder of the renewal application, requesting coverage for Outfalls 006 and 025, remains unchanged.

Should you have any questions or comments regarding this submittal, please contact me at our Lynnville office, (812) 922-1044.

Sincerely,

James Boswell
Authorized Representative

cc: Viking Mine – Knox Pit NPDES
John Voigt – DNR

Enclosures

Attachment 1:

Application form

Attachment VI

Potentially Affected Parties



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

I. PURPOSE OF SUBMITTAL:				MODIFICATION 07/09/2020
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 Boswell			1211	Knox	S-00222	
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS			h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER			
<u>COMPANY NAME</u> Peabody Midwest Mining, LLC.			<u>Latitude</u>		<u>Longitude</u>	
<u>STREET ADDRESS</u> 566 Dickeyville Rd.			<u>Degrees</u>	<u>minutes</u>	<u>seconds</u>	
<u>CITY</u> Lynnville,	<u>STATE</u> IN	<u>ZIP CODE</u> 47619	38	44	06	
c. FACILITY NAME			i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION			
Peabody Midwest Mining, LLC. – Viking Mine – Knox Pit			Township	Range	Section	Quartersection
			Washington	8W	20, 139, 140 & 149-151	
			Vigo	8W	21, 27, 28, 150-154 & 241-245	
			Steen	9W	126, 127, 137-139, 153-155 & 245	
d. FACILITY MAILING ADDRESS			j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM Iid			
<u>STREET ADDRESS</u> 566 Dickeyville Rd.			<u>STREET ADDRESS</u> 4421 N. Bicknell Road			
<u>CITY</u> Lynnville,	<u>STATE</u> IN	<u>ZIP CODE</u> 47619	<u>CITY</u> Bicknell	<u>STATE</u> IN	<u>ZIP CODE</u> 47512	

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 Boswell, Authorized Representative	Andy Nelson, Authorized Representative
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE	e. ALTERNATE PERSON'S TELEPHONE
(812) 922-1044	(812) 922-1045
c. APPLICANT EMAIL ADDRESS	f. ALTERNATE PERSON'S EMAIL ADDRESS
jboswell@peabodyenergy.com	anelson@peabodyenergy.com

IV. CONTACT INFORMATION OTHER:			
DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION		c. CONTACT AND COMPANY NAME James Boswell Peabody Midwest Mining, LLC.	
a. CONTACT TELEPHONE NUMBER (812) 922-1044		d. STREET ADDRESS 566 Dickeyville Rd	
b. CONTACT EMAIL ADDRESS jboswell@peabodyenergy.com		e. CITY Lynnville	f. STATE IN
ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS		g. ZIP CODE 47619	
		j. COMPANY AND CONTACT PERSON NAME James Boswell Peabody Midwest Mining, LLC.	
h. CONTACT TELEPHONE NUMBER (812) 922-1044		k. STREET ADDRESS 566 Dickeyville Rd	
i. CONTACT EMAIL ADDRESS jboswell@peabodyenergy.com		l. CITY Lynnville	m. STATE IN
OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW)		n. ZIP CODE 47619	
		q. COMPANY AND CONTACT PERSON NAME Andy Nelson Peabody Midwest Mining, LLC.	
o. CONTACT TELEPHONE NUMBER (812) 922-1045		r. STREET ADDRESS 566 Dickeyville Rd.	
p. CONTACT EMAIL ADDRESS anelson@peabodyenergy.com		s. CITY Lynnville	t. STATE IN
		u. ZIP CODE 47619	

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 <input checked="" type="checkbox"/> NO <input type="checkbox"/>
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

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.
010	BASIN 010B	DELETE	7/9/2020	Phase II – III bond release achieved. DNR inspector suggested removal from NPDES permit. See attached DNR inspection report.
012	BASIN 012	DELETE	7/9/2020	Phase II – III bond release achieved. DNR inspector suggested removal from NPDES permit. See attached DNR inspection report.

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.

A map of the facility is attached.

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.

Please see Attachment IX, Affidavit of Publication in the Vincennes Sun-Commercial noting that the legal notice ran June 16, 2020.

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.

Please see the attached potential affected persons form.

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 to be forwarded under separate cover.

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 renewal application as is required to Mr. John Voigt, Indiana Department of Natural Resources, Division of Reclamation, 14619 West State Road 48, Jasonville, IN 47438 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 Boswell, Authorized Representative

(812) 922-1044

Name and official title (type or print)

Area Code and phone No.

James Boswell
Signature

7/9/2020
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**

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	Dropped	No	Unnamed tributary to Indian Creek
004	004	38	43	14	87	16	59	0	Dropped	No	Unnamed tributary to Ben's Creek
005	005	38	43	24	87	17	26	0	Dropped	No	Unnamed tributary to Ben's Creek
006	006	38	42	46	87	17	47	0	Reclamation	No	Ben's Creek
007	007	38	43	01	87	18	23	0	Dropped	No	Unnamed tributary to Ben's Creek
009	009	38	43	36	87	16	45	0	Dropped	No	Unnamed tributary to Indian Creek
010	010	38	43	03	87	18	31	0	TO BE DROPPED	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	TO BE DROPPED	No	Unnamed tributary to Ben's Creek
013	013	38	42	51	87	18	45	0	Dropped	No	Unnamed tributary to Ben's Creek
020	020	38	45	24	87	17	17	0	Dropped	No	Indian Creek
025	025	38	44	23	87	16	40	0	Reclamation	No	Unnamed tributary to Indian Creek
026	026	38	45	08	87	17	40	0	Dropped	No	Unnamed tributary to Indian Creek
027	027	38	44	58	87	17	49	0	Dropped	No	Unnamed tributary to Indian Creek
028	028	38	45	09	87	16	19	0	Dropped	No	Indian Creek
029	029	38	44	50	87	18	04	0	Dropped	No	Unnamed tributary to Indian Creek
030**	030	38	45	28	87	17	30	0	Dropped	No	Indian Creek
031**	031	38	45	25	87	18	02	0	Dropped	No	Indian Creek
032**	032	38	45	30	87	18	26	0	Dropped	No	Indian Creek
033	033	38	45	08	87	17	59	0	Dropped	No	Unnamed tributary to Indian Creek
034	034	38	45	06	87	17	59	0	Dropped	No	Unnamed tributary to Indian Creek

*DWBF – Dry Weather Base Flow

** unconstructed



Identification of Potentially Affected Parties

State Form 49456 (7-99)

Indiana Department of Environmental Management
Office of Water Management, Permits Section

The Administrative Orders and Procedures Act (AOPA) IC 4-21.5-3-5(b), requires that the Indiana Department of Environmental Management (IDEM) give notice of its decision on your application to the following persons:

- (a) each person to whom the decision is specifically directed;
- (b) each person to whom a law requires notice to be given;
- (c) each competitor who has applied to the IDEM for a mutually exclusive license, if issuance is the subject of the decision and the competitor's application has not been denied in an order for which all rights to judicial review have been waived or exhausted;
- (d) each person who has provided the IDEM with a written request for notification of the decision;
- (e) each person who has a substantial and direct proprietary interest in the issuance of the (permit/variance);
- (f) each person whose absence as a party in the proceeding concerning the (permit/variance) decision would deny another party complete relief in the proceeding or who claims an interest related to the issuance of the (permit/variance) and is so situated that the disposition of the matter, in the person's absence may:
 - (1) as a practical matter impair or impede the person's ability to protect that interest, or
 - (2) leave any other person who is a party to a proceeding concerning the permit subject to a substantial risk of incurring multiple or otherwise inconsistent obligations by reason of the person's claimed interest.

IC 4-21.5-3-5(f) provides that we may request your assistance in identifying these people. Our failure to properly identify and notify these people of the decision could have the result of avoiding any decision which is made.

Additionally, IC 13-15-3-1 requires IDEM to send notice that the permit application has been received by the department to the following:

- (a) the board of county commissioners of a county affected by the permit application and
- (b) the mayor of a city that is affected by the permit application, or
- (c) the president of a town council of a town affected by the permit application

Please provide on the attached form the names of those persons affected by these statutes.

I. Identification of Potentially Affected Persons

Please list here any and all persons who you have reason to believe have a substantial or proprietary interest in this matter, or could otherwise be considered to be potentially affected under the law. Failure to notify any person who is later determined to be potentially affected could result in voiding our decision on procedural grounds. To ensure conformance with AOPA and to avoid reversal of a decision, please list all such parties. The letter attached to this form will further explain the requirements under the AOPA. Attach additional names and addresses on a separate sheet of paper, as needed. Please indicate below the type of action you are requesting.

Name: Michael, Mark & Gregory Wampler Street: 3871 N Wampler Rd City/State/Zip: Bicknell, IN 47512	Name: Richard Lowery Trust Street: 14606 Southeastern Prky City/State/Zip: Fishers, IN 46037
Name: A & R Schaefer Inc c/o Sue Schaefer Street: 13847 E Schaefer Rd City/State/Zip: Bicknell, IN 47512	Name: Carnahan, W Lowell & Sons Inc Street: 9809 E Wheatland Road City/State/Zip: Vincennes, IN 46591
Name: American Land Holdings of Indiana, LLC Street: 566 Dickeyville Rd. City/State/Zip: Lynnville, IN 47619	Name: Street: City/State/Zip:
Name: Street: City/State/Zip:	Name: Street: City/State/Zip:
Name: Street: City/State/Zip:	Name: Street: City/State/Zip:
Name: Street: City/State/Zip:	Name: Street: City/State/Zip:

II. Please complete this form by signing the following statement.

I certify to the best of my knowledge I have listed all potentially affected parties, as defined by IC 4-21.5.

Signature:  Printed Name: **James Boswell** Date: **7/9/2020**

Facility Name: **Viking Mine – Knox Pit**

Facility Address: **Peabody Midwest Mining, LLC., 566 Dickeyville Rd. Lynnville, IN 47619**

III. Type of Action (check one)

NPDES PERMIT – 327 IAC 5
 PRETREATMENT PERMIT – 327 IAC 5
 SEWER BAN WAIVER REQUEST – 327 IAC 4
 CONSTRUCTION PERMIT – 327 IAC 3

Return To:

Indiana Department of Environmental Management
 Office of Water Quality
 Permits Section
 100 North Senate Avenue
 Indianapolis, IN 46204

Attachment IX
ING 040062
RENEWAL 7/2/20

AFFP
Peabody Midwest Mining, LLC, 5

Affidavit of Publication

STATE OF IN }
COUNTY OF KNOX } SS

Bobbie Fisher, being duly sworn, says:

That she is Accounting Clerk of the Sun Commercial, a daily newspaper of general circulation, printed and published in Vincennes, Knox County, IN; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

June 16, 2020

That said newspaper was regularly issued and circulated on those dates.

SIGNED:


Accounting Clerk

Subscribed to and sworn to me this 16th day of June 2020.


Melanie Miller, , Knox County, IN

My commission expires: September 26, 2023

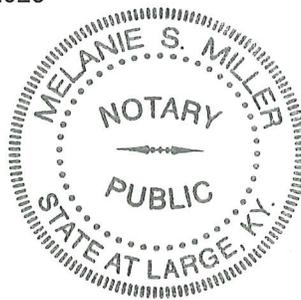
00010598 00721282

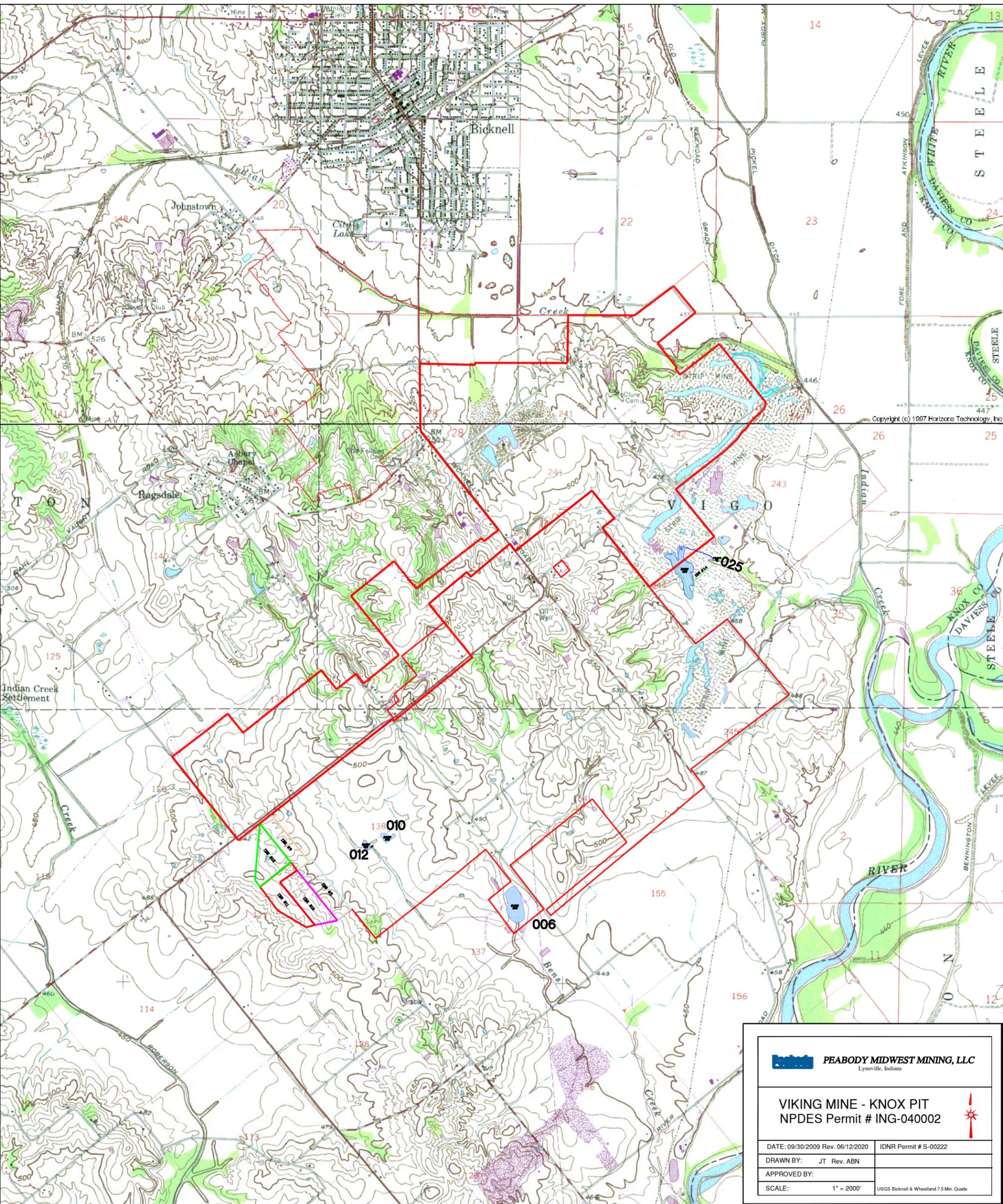
Andy Nelson 182
Peabody Midwest Mining, LLC
566 Dickeyville Road
Lynnville, IN 47619

Peabody Midwest Mining, LLC, 566 Dickeyville Rd Lynnville, IN 47619 which operates the Viking Mine – Knox Pit, located in Sections 20, 21, 27 and 28, Donations 139, 140, 149, 150, 151, 152, 153, 154, 241, 242, 243, 244, and 245, T4N, R8W in Washington and Vigo Townships, Donations 126, 127, 137, 138, 139, 152, 153, 154, 155, and 245, T3N and T3N, R8W in Steen Township, all in Knox Co., Indiana, and has ponds discharging into an unnamed tributary to Ben's Creek, Ben's Creek and an unnamed tributary to Indian Creek, is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirements 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 hspaxlp





 PEABODY MIDWEST MINING, LLC Lynnville, Indiana	
VIKING MINE - KNOX PIT NPDES Permit # ING-040002	
DATE: 09/30/2009 Rev. 06/12/2020	IDNR Permit # S-00222
DRAWN BY: JT Rev. ABN	
APPROVED BY:	
SCALE: 1" = 2000'	USGS Bicknell & Wheatland 7.5 Min. Quads

Attachment 2
DNR Complete Inspection Report
January 2020

INDIANA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION

COMPLIANCE INSPECTION REPORT

Inspector Name John C. Voigt Date of Inspection 7 January 2020 Time 09:32
Unit # 281 County Knox Date of Last Inspection 10 December 2019
Status T Weather/Ground Conditions Sunny, 34°F – wet/partially frozen
Inspection Type: C (P, C, PC)
Operation Type: X Surface _____ Processing _____ Exploration _____ Underground

Is This Inspection For Last Month? (Y/N)

Mines/Permits with this Unit:

S-222 Peabody Midwest Mining, LLC – Viking Mine – Knox Pit

INSPECTION CHECKLIST: Indicate compliance code for items checked. Items marked (S) were satisfactory. For any items marked (X), provide a narrative to support this determination. Items marked (NA) are not applicable to this inspectable unit.

- X 1. Areas Permitted, Bonded, or Unsuitable.
- S 2. Signs and Markers, Survey Corner Markers.
- X 3. Operations, Coal Recovery, and Cessation of Operations.
- X 4. Backfilling and Grading, Contemporaneous Reclamation.
- X 5. Topsoil, Alternate Material, and Prime Farmland Handling.
- X 6. Revegetation/Rills and Gullies, and Slides.
- X 7. Post-Mining Land Use, Fish and Wildlife Mitigation.
- X 8. Hydrologic Balance.
- S 9. Disposal of Coal/Non-Coal Waste, and Excess Spoil.
- S 10. Auguring, Processing, and Steep Slopes.
- S 11. Transportation and Support Facilities – Utility Installations
- N/A 12. Casing/Sealing Exposed Underground Openings.
- N/A 13. Subsidence Control Prevention.
- S 14. Liability Insurance Expires 1 August 2020
- S 15. Bond Release Information.
- S 16. Other Permit and Site Conditions: NPDES #: ING040002
- X 17. Off-Site Impacts Noted (Y/N)
(If yes, attach off-site impact form as COVER to this inspection.)

Responsible Official & Address: Copy Issued To:

Peabody Midwest Mining, LLC
566 Dickeyville Road
Lynnville, IN 47619

Signature: 
Authorized Representative
Division of Reclamation

Date: 9 January 2020

COMPLIANCE INSPECTION REPORT

Permittee: Peabody Midwest Mining, LLC

Mine: Viking Mine – Knox Pit

Signature of Company Representative: Not completed on site

Unit #: 281

Date of Insp.: 7 January 2020

Time: 09:32

COMMENTS: No Peabody Midwest Mining personnel were on site at the time of this inspection.

1,15 Currently approved acreages are as follows:

Currently Approved Acreage			
Total Permitted Acres	4401.75	Phase I (grading)	253.86
Bonded Acres	1061.26	Phase II (revegetation)	681.76
		Phase III (final)	940.46

3 Coal production ceased at this permit on 30 November 2010. Most reclamation operations have been completed, however, some USACE stream installation continues in addition to routine repair work.

4,5,6 Terracing and installation of down-drains are complete. Grading, topsoil replacement and initial seeding and mulching at both Pits 1 & 2 is complete. Erosion repairs have been conducted in recent months and USACE ditch construction continues. No construction was occurring at the time of this inspection.

7 Post-mining land uses appear to be met at this time. Most cropland was planted in corn or soybeans. Hay has been cut on some areas, and the soybeans and some corn have been harvested.

8 Reclamation within the watersheds of all sediment basins is now complete. Consequently, all remaining outfalls are in reclamation status and are monitored quarterly.

- On 15 August 2017 IDEM approved the revision of outfalls 003 and 009 to post-mining status.
- On 3 November the Division received a copy of Peabody’s IDEM-NOI letter requesting a status change from Alkaline to Reclamation for outfalls 006, 012 and 025. Confirmation with IDEM was made via email on 8 November.
- IDEM approved the revision on 17 November 2017. Outfalls 006, 012 and 025 are now in Reclamation (post-mining) status and monitoring will be required on a quarterly basis. All outfalls are now listed in Reclamation (post-mining) status.
- On 18 June 2019, IDEM approved removal of 003 and 009 from monitoring requirements.

Sediment basins 010 and 012 were checked and found to be stable. These outfalls can be requested to be removed from monitoring.

Signature  _____
Authorized Representative
Division of Reclamation

Date 9 January 2020

COMPLIANCE INSPECTION REPORT

Page 3 of 3

Permittee: Peabody Midwest Mining, LLC
Mine: Viking Mine – Knox Pit
Signature of Company Representative: Not completed on site
Unit #: 281
Date of Insp.: 7 January 2020
Time: 09:32

Outfalls were checked with the following results:

NPDES NUMBER ING040002							
NPDES Outfall	SB/PI NO.	NPDES Status	Flow	pH	Sett. Solids	Insp Date	Notes:
006A	006	REC	L	7.8		01.07.2020	
010A	010B	REC	L	7.9		01.07.2020	
012A	012	REC	L	7.6		01.07.2020	
025A	025	REC	M	7.9		01.07.2020	
Status: Acidic: ACID Alkaline: ALK Eliminated: DROP Reclamation: REC Undetermined: UND			Flow: None (N) Trickle (T) Low (L) Moderate (M) High (H)				

17 No offsite impacts were observed during this inspection.

Signature  _____
 Authorized Representative
 Division of Reclamation

Date 9 January 2020