



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • www.idem.IN.gov

Mike Braun
Governor

Clint Woods
Commissioner

January 15, 2026

VIA ELECTRONIC MAIL:

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

Dear Mr. Boswell:

Re: Approval of Modification of NPDES
General Permit Coverage # ING040037
IDNR Facility # S-00301
Peabody Midwest Mining, LLC Francisco Mine
CR 850 E
Francisco, IN
Gibson County

Our office has received your Notice of Intent (NOI) submittal for the above-referenced facility. We are pleased to inform you that it is sufficient to comply with the NOI requirements of 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing, and Reclamation Activities. Your NPDES general permit coverage will be modified as requested with the change as follows:

- **Outfall 077 is reclassified as Post-Mining.**

We have reviewed the NOI and determined that the mining activities associated with the request are not the result of any new or expanded permitted mining operations. Mining activity is a process of sequential coal removal and reclamation and as mining progresses and reclamation follows these activities will not result in any anticipated discharges to a receiving stream. We have determined that there will not be a new or increased loading of pollutants into the receiving streams(s), therefore the approval of this coverage complies with the antidegradation standards at 327 IAC 2-1.3.

The NPDES general permit identification number assigned to this previously is being retained. This number will be used as an identification number and should be included in all correspondence submitted to IDEM in relation to this NPDES general permit. Coverage for the facility includes all outfalls listed on Attachment 1 to this correspondence. Effluent limits and sampling requirements for all outfalls are set forth in Attachment 2. You will be responsible for following the general rule requirements contained in 327 IAC 15-1 through 15-4 and 15-7, which may be found at <https://iar.iga.in.gov/code/2026/327/15#327-15-7>.



Your current NPDES general permit coverage for this facility became effective on April 1, 2024 and will expire on March 31, 2029. The permit coverage, as modified, is deemed **effective January 1, 2026**. In order to receive authorization to discharge beyond the date of expiration, you must submit such information and forms as required by the IDEM no later than ninety (90) days prior to the date of expiration.

IDEM is required to serve notice of its decision to approve the modification of general permit coverage for your facility under the general permit in accordance with the requirements of 327 IAC 5-3-14. It should be noted that any appeal must be filed under procedures outlined in IC 13-15-6, IC 4-21.5-3-7, and the enclosed Public Notice. The appeal must be initiated by filing a petition for administrative review with the Office of Administrative Law Procedures (OALP) 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 Administrative Law Procedures
Indiana Government Center North
Suite N802
100 N. Senate Ave.
Indianapolis, IN 46204

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

The OALP 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 OALP.

If you have any questions regarding this letter, please contact Ms. C. Anne Burget of my staff at cburget@idem.IN.gov or (317) 234-8745.

Sincerely,

Catherine Hess

Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Attachments
cc: Ms. Karen Risner, Peabody Midwest Mining, LLC (Krisner@peabodyenergy.com)
Ms. Jayne Peltier – IDNR Division of Reclamation (JPeltier1@dnr.IN.gov)
Mr. Clay Dayson, IDNR Division of Reclamation (CDayson@dnr.IN.gov)
U.S. EPA, Region 5

ATTACHMENT 1

PEABODY MIDWEST MINING, LLC - FRANCISCO MINE

IDNR PERMIT # S-00301

NPDES GENERAL PERMIT APPROVAL # ING040037

EFFECTIVE DATE : JANUARY 1, 2026

AUTHORIZED OUTFALLS

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
001	S-0301 001	38°, 20', 27"	-87°, 24', 12.3"	Acid	Keg Creek
006	S-0301 006	38°, 20', 55.2"	-87°, 24', 39"	Acid	Unnamed Tributary of Keg Creek
014	S-0301 014	38°, 21', 46.8"	-87°, 24', 43.2"	Alkaline	Keg Creek
062	S-0301 022	38°, 21', 29.4"	-87°, 26', 47"	Post-Mining	Lost Creek
072	S-0301 007C	38°, 21', 15"	-87°, 26', 25"	Post-Mining	Lost Creek
074	S-0301 07R	38°, 20', 09"	-87°, 26', 7.7"	Alkaline	Lost Creek
075	S-0301 075R	38°, 21', 49"	-87°, 26', 21.5"	Alkaline	Lost Creek
077	S-0301 077	38°, 22', 19"	-87°, 27', 17"	Post-Mining	Lost Creek
078	S-0301 078	38°, 20', 29.88"	-87°, 28', 43.76"	Alkaline	Lost Creek
079**	S-0301 078	38°, 20', 37.08"	-87°, 28', 12.54"	Unconstructed/ Alkaline	Unnamed Tributary of Lost Creek

** Outfall is currently unconstructed

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

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
011	S-0301 011	38°, 20', 16.8"	-87°, 26', 44"	Removed	Lost Creek
023	S-0301 023	38°, 21', 35.8"	-87°, 26', 44.6"	Removed	Lost Creek
024	S-0301 024	38°, 22', 33.3"	-87°, 25', 34.5"	Removed	Unnamed Tributary to Patoka River
028R	S-0301 028	38°, 21', 12.3"	-87°, 27', 29.1"	Removed	Unnamed Tributary to Lost Creek
029	S-0301 029	38°, 22', 24.2"	-87°, 26', 44.5"	Removed	Lost Creek
032	S-0301 031N	38°, 21', 12"	-87°, 27', 31.6"	Removed	Unnamed Tributary to Lost Creek

033	S-0301 031R	38°, 21', 9.0"	-87°, 27', 37.2"	Removed	Unnamed Tributary to Lost Creek
040	S-0301 050	38°, 20', 34"	-87°, 28', 16.9"	Removed	Unnamed Tributary to Lost Creek
041	S-0301 051	38°, 20', 34"	-87°, 28', 41.2"	Removed	Unnamed Tributary to Lost Creek
042	S-0301 042	38°, 20', 10.8"	-87°, 27', 53.8"	Removed	Unnamed Tributary to Lost Creek
045	S-0301 045	38°, 20', 54.5"	-87°, 27', 40.5"	Removed	Unnamed Tributary to Lost Creek
050	S-0301 040	38°, 20', 34"	-87°, 28', 16.9"	Removed	Unnamed Tributary to Lost Creek
052	S-0301 052	38°, 21', 35"	-87°, 26', 44.5"	Removed	Lost Creek
053	S-0301 029	38°, 22', 17"	-87°, 27', 17.6"	Removed	Lost Creek
129	S-0301 029R	38°, 22', 02"	-87°, 27', 38"	Removed	Lost Creek

ATTACHMENT 2

Discharge Limitations and Monitoring Requirements for Coal Mine Outfalls with Alkaline Mine Drainage

In accordance with 327 IAC 15-7-7(a)(2), the following effluent limitations and monitoring requirements apply to discharges from outfalls with coal mining activities within the drainage area which contain active mining areas, coal preparation plants, and/or coal preparation plant associated areas with a new source alkaline mine drainage status.

TABLE 1: Dry Weather Effluent Limits and Monitoring Requirements [1]

Parameter	Effluent Limitations				Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
Flow	--	Report	Report	MGD	2 X Monthly	Instantaneous
Total Suspended Solids	--	35	70	mg/l	2 X Monthly	Grab
pH	6.0	--	9.0	s.u.	2 X Monthly	Grab
Total Iron	--	3.0	6.0	mg/l	2 X Monthly	Grab

- [1] These limits are applicable to discharges which occur during dry weather base flow for an outfall. This is the default set of effluent limits unless the permittee provides adequate documentation of eligibility for any alternate precipitation-based effluent limits, as set forth in Tables 2 and 3 below. At least one sampling event per month is supposed to occur during dry weather base flow conditions.

TABLE 2: Alternate Precipitation-Based Effluent Limits for Precipitation Events Less than or Equal to the 10-Year, 24-Hour Storm Event [2]

Parameter	Effluent Limitations				Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
Precipitation Volume	--	--	Report	Inches	Daily	Rain gauge
Precipitation Event duration	--	--	Report	Hours	Daily	Clock
Flow	--	Report	Report	MGD	Weekly	Instantaneous
Settleable Solids	--	--	0.5 [3]	ml/l	Weekly	Grab
pH	6.0	--	9.0	s.u.	Weekly	Grab

- [2] In accordance with 327 IAC 15-7-7(c)(1), the permittee may opt to apply the effluent limits and monitoring requirements in Table 2 in lieu of those in Table 1 to a discharge when the discharge flow rate exceeds the dry weather base flow when a precipitation event is less than or equal to the 10-year, 24-hour storm event on the date that the sampling occurred.

The permittee must provide documentation that the discharge met the qualifications for utilizing the alternate precipitation-based effluent limits for each instance in which the permittee wishes to apply them.

- [3] The limit for settleable solids is a maximum not to be exceeded in any grab sample.

TABLE 3: Alternate Precipitation-based Effluent Limits for Precipitation Events Greater Than the 10-year, 24-hour Storm Event [4]

Parameter	Effluent Limitations				Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
Precipitation Event Volume	--	--	Report	Inches	Daily	Rain gauge
Precipitation Event Duration	--	--	Report	Hours	Daily	Clock
Flow	--	Report	Report	MGD	Weekly	Instantaneous
pH	6.0	--	9.0	s.u.	Weekly	Grab

- [4] In accordance with 327 IAC 15-7-7(c)(2), the permittee may opt to apply the effluent limits and monitoring requirements in Table 3 (in lieu of those in Tables 1 and 2) to a discharge when the discharge flow rate exceeds the 10-year, 24-hour storm event on the date that the sampling occurred. The permittee must provide documentation that the discharge met the qualifications for utilizing this set of alternate precipitation-based effluent limits for each instance in which the permittee wishes to apply them.

**Discharge Limitations and Monitoring Requirements for
Coal Mines Outfalls with Acid Mine Drainage**

Table 4 - Dry Weather Effluent Limits and Monitoring Requirements [1]

Parameter	Effluent Limitations				Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
Flow	--	Report	Report	MGD	Weekly	Instantaneous
Total Suspended Solids	--	35	70	mg/l	Weekly	Grab
pH	6.0	--	9.0	s.u.	Weekly	Grab
Total Iron	--	3.0	6.0	mg/l	Weekly	Grab
Total Manganese	--	2.0	4.0	mg/l	Weekly	Grab
Total Aluminum	--	Report	Report	mg/l	Monthly	Grab
Total Copper	--	Report	Report	mg/l	Monthly	Grab
Total Zinc	--	Report	Report	mg/l	Monthly	Grab
Total Nickel	--	Report	Report	mg/l	Monthly	Grab

- [1] These limits are applicable to discharges which occur during dry weather base flow for an outfall. This is the default set of effluent limits unless the permittee provides adequate documentation of eligibility for any alternate precipitation-based effluent limits, as set forth in Tables 5 and 6 below. At least one sampling event per month is supposed to occur during dry weather base flow conditions.

**TABLE 5: Alternate Precipitation-Based Effluent Limits for Precipitation Events
Less than or Equal to the 10-Year, 24-Hour Storm Event [2]**

Parameter	Effluent Limitations				Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
Precipitation Volume	--	--	Report	Inches	Daily	Rain gauge
Precipitation Event duration	--	--	Report	Hours	Daily	Clock
Flow	--	Report	Report	MGD	Weekly	Instantaneous
Settleable Solids	--	--	0.5 [3]	ml/l	Weekly	Grab
pH	6.0	--	9.0	s.u.	Weekly	Grab

- [2] In accordance with 327 IAC 15-7-7(c)(1), the permittee may opt to apply the effluent limits and monitoring requirements in Table 5 in lieu of those in Table 4 to a discharge when the discharge flow rate exceeds the dry weather base flow when a precipitation event is less than or equal to the 10-year, 24-hour storm event on the date that the sampling occurred.

The permittee must provide documentation that the discharge met the qualifications for utilizing the alternate precipitation-based effluent limits for each instance in which the permittee wishes to apply them.

- [3] The limit for settleable solids is a maximum not to be exceeded in any grab sample.

TABLE 6: Alternate Precipitation-based Effluent Limits for Precipitation Events Greater Than the 10-year, 24-hour Storm Event [4]

Parameter	Effluent Limitations				Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
Precipitation Event Volume	--	--	Report	Inches	Daily	Rain gauge
Precipitation Event Duration	--	--	Report	Hours	Daily	Clock
Flow	--	Report	Report	MGD	Weekly	Instantaneous
pH	6.0	--	9.0	s.u.	Weekly	Grab

- [4] In accordance with 327 IAC 15-7-7(c)(2), the permittee may opt to apply the effluent limits and monitoring requirements in Table 6 (in lieu of those in Tables 4 and 5) to a discharge when the discharge flow rate exceeds the 10-year, 24-hour storm event on the date that the sampling occurred. The permittee must provide documentation that the discharge met the qualifications for utilizing this set of alternate precipitation-based effluent limits for each instance in which the permittee wishes to apply them.

TABLE 7 - Discharge Limitations and Monitoring Requirements for Post-Mining Outfalls

The following effluent limitations apply to discharges from any outfall that receives drainage only from post-mining/reclamation areas.

Parameter	Effluent Limitations				Monitoring Requirements	
	Daily Minimum	Monthly Average	Daily Maximum	Units	Measurement Frequency	Sample Type
Flow	--	Report	Report	MGD	Quarterly	Instantaneous
Settleable Solids	--	--	0.5 [1]	ml/l	Quarterly	Grab
pH	6.0	--	9.0	s.u.	Quarterly	Grab

- [1] The limit for settleable solids is a maximum not to be exceeded in any grab sample.

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 20260115 –ING040037 – GP

DATE OF NOTICE: JANUARY 15, 2026

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

MODIFICATION of COVERAGE under 327 IAC 15-7

PEABODY MIDWEST MINING, LLC, FRANCISCO MINE, Permit Coverage No. ING040037, located near the intersection of SR 64 & CR 850 E, Francisco, IN (GIBSON COUNTY). This facility is an active surface coal mine (DNR Permit # S-00301). The permittee submitted a Notice of Intent to modify its general NPDES permit coverage under 327 IAC 15-7 for Facilities Engaged in the Mining of Coal, Coal Processing, and Reclamation Activities. The mine drainage status of Outfall 077 is being changed from “Alkaline” to “Post-Mining/Reclamation” and is stable and free of erosion. For more information regarding this action, please contact Ms. C. Anne Burget at (317) 234-8745 or 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 Administrative Law Proceedings (OALP) 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 OALP 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 as follows:

Director
Office of Administrative Law Proceedings
Indiana Government Center North
Suite N802
100 N. Senate Ave.
Indianapolis, IN 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 N. Senate Ave.
Indianapolis, IN 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 as follows:

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, the OALP 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 the OALP at the address above.

If you have procedural or scheduling questions regarding your Petition for Administrative Review, please refer to the OALP's website at <https://www.in.gov/oalp/>.



PEABODY MIDWEST MINING, LLC
566 Dickeyville Road
Lynnville, IN 47619
812.922.1044

December 30, 2025

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

**RE: Notice of Intent to Comply with 327 IAC 15-7
Peabody Midwest Mining, LLC – Francisco Mine
NPDES General Permit ING040037 - MODIFICATION**

Dear Sir or Madam:

On behalf of Peabody Midwest Mining, LLC, I am submitting the attached modification for Francisco Mine NPDES Permit ING040037 for the following change:

- Reclassify Outfall 077 to Reclamation. The watershed for this outfall is stable and free of erosion. Mr. Clay Dayson, DOR inspector at Francisco Mine, is in agreement with this change.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "James Boswell", is written over a horizontal line.

James Boswell,
Authorized Representative

cc: Francisco NPDES
Clay Dayson - DNR
Alan Pancake

Enclosures



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:				12/30/2025
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	ING040037	Reclassify Outfall 077 to Reclamation

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				1221		Gibson		S-00301		
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS				h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER						
COMPANY NAME Peabody Midwest Mining, LLC				Latitude			Longitude			
STREET ADDRESS 566 Dickeyville Rd.				Degrees	minutes	seconds	degrees	minutes	seconds	
CITY Lynnville,	STATE IN	ZIP CODE 47619		38°	21'	21"	87°	26'	27"	
c. FACILITY NAME				i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION						
Peabody Midwest Mining, LLC - Francisco Mine				Township		Range		Section		Quartersection
				2S		9W		4-9, 15-18		
				2S		10W		12, 13		
d FACILITY MAILING ADDRESS				j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM IId						
STREET ADDRESS 566 Dickeyville Rd				STREET ADDRESS CR 850E						
CITY Lynnville	STATE IN	ZIP CODE 47619		CITY Francisco		STATE IN		ZIP CODE 47649		

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	Karen Risner, Authorized Representative
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE	e. ALTERNATE PERSON'S TELEPHONE
(812) 922-1044	(812) 922-1048
c. APPLICANT EMAIL ADDRESS	f. ALTERNATE PERSON'S EMAIL ADDRESS
jboswell@peabodyenergy.com	krisner@peabodyenergy.com

IV. CONTACT INFORMATION OTHER:			
DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION		c. <u>CONTACT AND COMPANY NAME</u> Karen Risner Peabody Midwest Mining, LLC.	
a. <u>CONTACT TELEPHONE NUMBER</u> (812) 922-1048		d. <u>STREET ADDRESS</u> 566 Dickeyville Rd.	
b. <u>CONTACT EMAIL ADDRESS</u> krisner@peabodyenergy.com		e. <u>CITY</u> Lynnville	f. <u>STATE</u> IN
ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS		g. <u>ZIP CODE</u> 47619	
h. <u>CONTACT TELEPHONE NUMBER</u> (812) 922-1048		j. <u>COMPANY AND CONTACT PERSON NAME</u> Karen Risner Peabody Midwest Mining, LLC.	
i. <u>CONTACT EMAIL ADDRESS</u> krisner@peabodyenergy.com		k. <u>STREET ADDRESS</u> 566 Dickeyville Rd	l. <u>CITY</u> Lynnville
OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW)		m. <u>STATE</u> IN	n. <u>ZIP CODE</u> 47619
o. <u>CONTACT TELEPHONE NUMBER</u> (812) 922-1044		q. <u>COMPANY AND CONTACT PERSON NAME</u> James Boswell Peabody Midwest Mining, LLC	
p. <u>CONTACT EMAIL ADDRESS</u> jboswell@peabodyenergy.com		r. <u>STREET ADDRESS</u> 566 Dickeyville Rd	s. <u>CITY</u> Lynnville
		t. <u>STATE</u> IN	u. <u>ZIP CODE</u> 47619

V. RULE QUALIFICATION:
<p>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.</p> <p>Does this facility meet these requirements? (please check one) YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p> <p>Please provide a brief description of the facility operation that results in the discharge. You may attach additional sheets.</p> <p>This facility is a surface coal mine. Stormwater is collected and passed through sediment treatment structures designed by professional engineers to detain a 10-year 24-hour storm event.</p>

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.
077	077	CHANGE	1/1/2026	Reclassify to Reclamation. Watershed is stable and free of erosion.

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 see the attached Map.

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 note: the public notice for this area was published with the original Notice of Intent and subsequent renewals. This modification is for discharges to receiving streams that were previously public noticed.

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 Note: No additional persons are potentially affected by the modification(s) contained herein. The original permit application and subsequent renewals included all potentially affected persons within and adjacent to the permit area.

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.

An online payment in the amount of \$50.00 was submitted to IDEM on 12/30/2025.

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.

A copy of this application has been forwarded to Mr. Clay Dayson, 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.



12/30/2025

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**

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.				
001	001	38	20	27.0	87	24	12.3	0.00	Acid	No	Keg Creek
006	006	38	20	55.2	87	24	39.0	0.00	Acid	No	Un Trib to Keg Creek
014	014	38	21	46.8	87	24	43.2	0.00	Alkaline	No	Keg Creek
062	022	38	21	29.4	87	26	47	0.00	Reclamation	No	Unnamed Trib. To Lost Creek
072	07C	38	21	15	87	26	25	0.00	Reclamation	No	Lost Creek
074	07R	38	20	9.0	87	26	7.7	0.00	Alkaline	No	Lost Creek
075	075R	38	21	49	87	26	21.5	0.00	Alkaline	No	Lost Creek
077	077	38	22	19	87	27	17	0.00	Reclamation	No	Unnamed Trib. To Lost Creek
078	078	38	20	29.88	87	28	43.76	0.00	Alkaline	No	Unnamed Trib. To Lost Creek
079**	079	38	20	37.08	87	28	12.54	0.00	Unconstructed / Alkaline	No	Unnamed Trib. To Lost Creek
011	011	38	20	16.8	87	26	44.0	0.00	Dropped	No	Lost Creek
023	023	38	21	35.8	87	26	44.6	0.00	Dropped	No	Lost Creek
024	024	38	22	33.3	87	25	34.5	0.00	Dropped	No	Un Trib to Patoka River
028R	028	38	21	12.3	87	27	29.1	0.00	Dropped	No	Un Trib to Lost Creek
029	029	38	22	24.2	87	26	44.5	0.00	Dropped	No	Lost Creek
129	029R	38	22	02	87	27	38	0.00	Dropped	No	Lost Creek
032	031N	38	21	12	87	27	31.6	0.00	Dropped	No	Un Trib to Lost Creek
033	031R	38	21	9.0	87	27	37.2	0.00	Dropped	No	Un Trib to Lost Creek
040	050	38	20	34	87	28	16.9	0.00	Dropped	No	Un Trib to Lost Creek
041	051	38	20	34	87	28	41.2	0.00	Dropped	No	Un Trib to Lost Creek
042	042	38	20	10.8	7	27	53.8	0.00	Dropped	No	Un Trib to Lost Creek
045	045	38	20	54.5	87	27	40.5	0.00	Dropped	No	Un Trib to Lost Creek
050	040	38	20	34	87	28	16.9	0.00	Dropped	No	Un Trib to Lost Creek
052	052	38	21	35	87	26	44.5	0.00	Dropped	No	Lost Creek
053	029	38	22	17.0	87	27	17.6	0.00	Dropped	No	Lost Creek

*DWBF – Dry Weather Base Flow

**Outfall is currently 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.

There are no new potentially affected parties in this submittal. The original permit application and subsequent renewals and permit modifications included all potentially affected persons associated with the previously permitted outfalls.

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:

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:

12/30/2025

Facility Name: Francisco Mine

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

