



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

February 24, 2026

VIA ELECTRONIC MAIL : (Mail@k-exc.com)

Mr. Ryan Kerns, Owner
Kerns Excavating, LLC
7123 N. Windmill Rd.
Bicknell, IN 47512

Dear Mr. Kerns:

Re: IDEM Approval of New NPDES General
Permit Coverage # ING040308
AML Site 147 – Meridian Road Highwall
Located NE of the Intersection of
Meridian Rd. and CR 900 South;
3.64 Miles NE of Spurgeon, IN
Pike County

Our office received your Notice of Intent (NOI) on January 23, 2026 for the above-referenced Indiana Department of Natural Resources abandoned mine land (AML) project. We are pleased to inform you that the submittal is sufficient to comply with the NOI requirements of 327 IAC 15-7 and that this project will be covered under the NPDES General Permit for Facilities Engaging in Mining of Coal, Coal Processing, and Reclamation Activities.

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 obtain 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 in Attachment 1 to this letter and effluent limitations and monitoring requirements are included in Attachment 2.

The NPDES general permit identification number assigned to this facility is referenced above. Permit coverage will become effective on **March 1, 2026**, at which time you will be required to follow all terms and conditions of 327 IAC 15-7. This permit coverage under 327 IAC 15-7 will **expire on February 28, 2031**. In order to receive authorization to discharge beyond this expiration date, you are required to submit a renewal NOI to IDEM no later than ninety (90) days prior to the date of expiration.



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 our web site at <https://www.in.gov/idem/cleanwater/wastewater-compliance/wastewater-reporting-forms-notice-and-instructions/>. All NPDES permit holders are required to submit their monitoring data to IDEM using NetDMR; paper forms are no longer accepted. For more information on NetDMR, please see our website at <https://www.in.gov/idem/cleanwater/resources/netdmr/>. Also, all current agency rules, including the general NPDES permits-by-rule, 327 IAC 15, are posted at <https://www.in.gov/idem/legal/environmental-laws-and-rules/>.

Please note that IDEM is required to serve notice of its decision to accept your facility for coverage under the general permit 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 Administrative Law Proceedings (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 Proceedings
Indiana Government Center North
Suite N802
100 North Senate Ave.
Indianapolis, IN 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North 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.

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

Sincerely,

Catherine Hess

Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Attachment

cc: Jayne Peltier, IDNR, Division of Reclamation (JPeltier1@dnr.IN.gov)
NPDES Permits Branch, U.S. EPA, Region 5
Dan Hillman, IDNR, Division of Reclamation (DanHillman@dnr.IN.gov)

ATTACHMENT 1

AML SITE #147 – MERIDIAN HIGHWALL

NPDES GENERAL PERMIT APPROVAL : # ING040308

EFFECTIVE DATE : MARCH 1, 2026

AUTHORIZED OUTFALLS

The following outfalls are authorized for coverage under this general permit approval:

| OUTFALL | LATITUDE | LONGITUDE | RECEIVING WATER | MINE DRAINAGE STATUS |
|---------|-------------|--------------|--|----------------------|
| 001 | 38° 17' 40" | -87° 16' 21" | Unnamed Tributary to South Fork Patoka River | Acid |
| 002 | 38° 17' 34" | -87° 16' 56" | Unnamed Tributary To Wheeler Creek | Acid |

ATTACHMENT 2

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

In accordance with 327 IAC 15-7-7(a)(3), 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 acid 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 | 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 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.

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 20260224-ING040308-GP

DATE OF NOTICE: February 24, 2026

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

NEW COVERAGE UNDER 327 IAC 15-7

AML SITE 147, MERIDIAN HIGHWALL, NPDES General Permit Coverage No. ING040308.

The project location is 3.64 miles northeast of the town of Spurgeon, IN (PIKE COUNTY). This abandoned mine land (AML) project is being undertaken to alleviate the public health, safety, and environmental hazards associated with past coal mining activities at the site. It will consist of backfilling highwall areas, regrading piles and embankments, improving drainage, and revegetating disturbed areas. Kerns Excavating, LLC, in association with the Indiana Department of Natural Resources Division of Reclamation, has submitted a sufficient Notice of Intent to obtain NPDES general permit coverage under 327 IAC 15-7, the NPDES general permit-by-rule for Facilities Engaged in Mining of Coal, Coal Processing, and Reclamation Activities. There are two permitted outfalls associated with this project that will discharge to either an unnamed tributary of the South Fork Patoka River or to an unnamed tributary of Wheeler Creek. Permit coverage shall become effective March 1, 2026. For more information regarding this NPDES general permit coverage, 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 Administration 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. The 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/>.



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: | | | | |
|---|-------|--------|---------------------|----------------------------------|
| 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 | | | | |

| 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 | |
| Ryan Kerns | | | 1221 | Pike | N/A | |
| b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS | | | h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER | | | |
| COMPANY NAME Kerns Excavating, LLC | | | <u>Latitude</u> | | <u>Longitude</u> | |
| STREET ADDRESS 7123 North Windmill Road | | | <u>degree</u> | <u>minute</u> | <u>second</u> | <u>degree</u> <u>minute</u> <u>Second</u> |
| CITY Bicknell | STATE IN | ZIP CODE 47512 | 38 | 17' | 23" | -87 16' 47" |
| c. FACILITY NAME | | | i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION | | | |
| AML Site 147, Meridian Road Highwall | | | Township | Range | Section | Quartersection |
| | | | 2S | 8W | 334 and 35nd | SE 1/4 andnd SW 1/4 |
| d. FACILITY MAILING ADDRESS | | | j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM Iid | | | |
| STREET ADDRESS No physical address | | | STREET ADDRESS Located NE of the Intersection of Meridian Rd. and CR 900 South; 1.64 Miles NE of the Town of Spurgeon, IN | | | |
| CITY | STATE | ZIP CODE | CITY | STATE | ZIP CODE | |
| | | | Spurgeonn | IN | 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 |
| Ryan Kerns, Owner | Kaleh Hannuksela, Office Manager |
| b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE | e. ALTERNATE PERSON'S TELEPHONE |
| (812) 291-5156 | (812) 291-5156 |
| c. APPLICANT EMAIL ADDRESS | f. ALTERNATE PERSON'S EMAIL ADDRESS |
| mail@k-exc.com | kcatt@k-exc.com |

| IV. CONTACT INFORMATION OTHER: | | | |
|--|--|---|-----------------------|
| DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION | | c. CONTACT AND COMPANY NAME Kerns Excavating, LLC Kaleh Hannuksela, Office Manager | |
| a. CONTACT TELEPHONE NUMBER (812) 291-5156 | | d. STREET ADDRESS 7123 N Windmill Road | |
| b. CONTACT EMAIL ADDRESS kcatt@k-exc.com | | e. CITY Bicknell | f. STATE IN |
| | | g. ZIP CODE 47512 | |
| ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS | | j. COMPANY AND CONTACT PERSON NAME Kerns Excavating, LLC Kaleh Hannuksela, Office Manager | |
| h. CONTACT TELEPHONE NUMBER (812) 291-5156 | | k. STREET ADDRESS 7123 N Windmill Road | |
| i. CONTACT EMAIL ADDRESS kcatt@k-exc.com | | l. CITY Bicknell | m. STATE IN |
| | | n. ZIP CODE 47512 | |
| OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW) | | q. COMPANY AND CONTACT PERSON NAME | |
| | | | |
| o. CONTACT TELEPHONE NUMBER N/A | | r. STREET ADDRESS | |
| p. CONTACT EMAIL ADDRESS | | s. CITY | t. STATE |
| | | u. ZIP CODE | |

| 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 Abandoned Mine Land Reclamation Project is being undertaken in accordance with the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87) and is intended to alleviate the public health, safety and environmental hazards associated with past coal mining activities. This project will consist of the following features: 1) backfill 500 linear feet of highwall; 2) create wetlands; 3) improve drainage; and 4) revegetate disturbed areas. |

| 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. DRY WEATHER BASE FLOW | 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 | N/A | 38 | 17' | 40" | -87 | 16' | 21" | <1 cfs | Acid | NO | Unnamed tributary to South Fork Patoka River |
| 002 | N/A | 38 | 17' | 334" | -87 | 16' | 556" | <1 cfs | Acid | NO | Unnamed tributary to WWheeler Creek |
| | | | | | | | | | | Y / N | |
| | | | | | | | | | | Y / N | |
| | | | | | | | | | | Y / N | |
| | | | | | | | | | | Y / N | |
| | | | | | | | | | | Y / N | |
| | | | | | | | | | | Y / N | |

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. |
|---------------------|------------------|------------------------|-------------------|---|
| N/A | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
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| | | | | |

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.

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 fill out this form in its entirety and submit it with the application.

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.

Please list amount submitted \$550.00, attach to and submit with application. Checks or money orders shall be made payable to IDEM.

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.

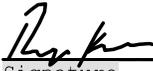
Please forward a copy of this application as is required and identify the party to whom it

was addressed and the date that it was mailed: M. Shannon Baumgart 01/15/2026

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."

| | |
|---|--|
| Ryan Kerns, Owner <hr/> <small>Name and official title (type or print)</small> | (812) 291-5156 <hr/> <small>Area Code and phone No.</small> |
|  <hr/> <small>Signature</small> | 2/20/2026 <hr/> <small>Date signed</small> |

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**

The Indiana Department of Natural Resources, Division of Reclamation, (14619 West State Road 48, Jasonville, IN 47438, Site 147 Located NE of the Intersection of Meridian Rd. and CR 900 South; 1.64 Miles NE of the Town of Spurgeon, IN in Marion Township, Pike County; Township 2 South, Range 8 West, Section 34 and 35) 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. Water will be discharged from this facility to unknown tributaries to Wheeler Creek and South Fork Patoka River. Any person aggrieved by this action may appeal in writing to the Office of Administrative Law Proceedings 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 provide all of the following information:

- (A) the name and address of the person making the request;
- (B) the interest of the person making the request;
- (C) the names of any persons represented by the person making the request;
- (D) statement, with particularity, the reasons for the request;
- (E) statement, with particularity, of the issues proposed for consideration at the hearing; and
- (F) statement, with particularity, of 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 the following:

Office of Administrative Law Proceedings
Indiana Government Center - North
100 North Senate Avenue, suite N802
Indianapolis, IN 46204"

Paxton Media Group
201 South 4th Street Paducah, KY 42003

Kim Tibbett
Indiana Dept Natural Res/Jasonville
Div. of Reclamation
14619 W State Rd 48
Jasonville, IN 47438
(812)665-2207

Class Display Ad #71421996 Summary:

Slug Line: Site 147
Size: 1.00 x 8.75

Publication Cost \$34.39
 Adjustments \$0.00
 Net Cost \$34.39
 Prepaid Amount \$0.00
 Amount Due \$34.39

Order Detail:

| Publication | Start | Stop | Insertions | Cost | Adjustments | Total |
|------------------------|--------------|-------------|-------------------|-------------|--------------------|--------------|
| 182PDD1 Press Dispatch | 2/26/26 | 2/26/26 | 1 | 34.39 | 0.00 | 34.39 |

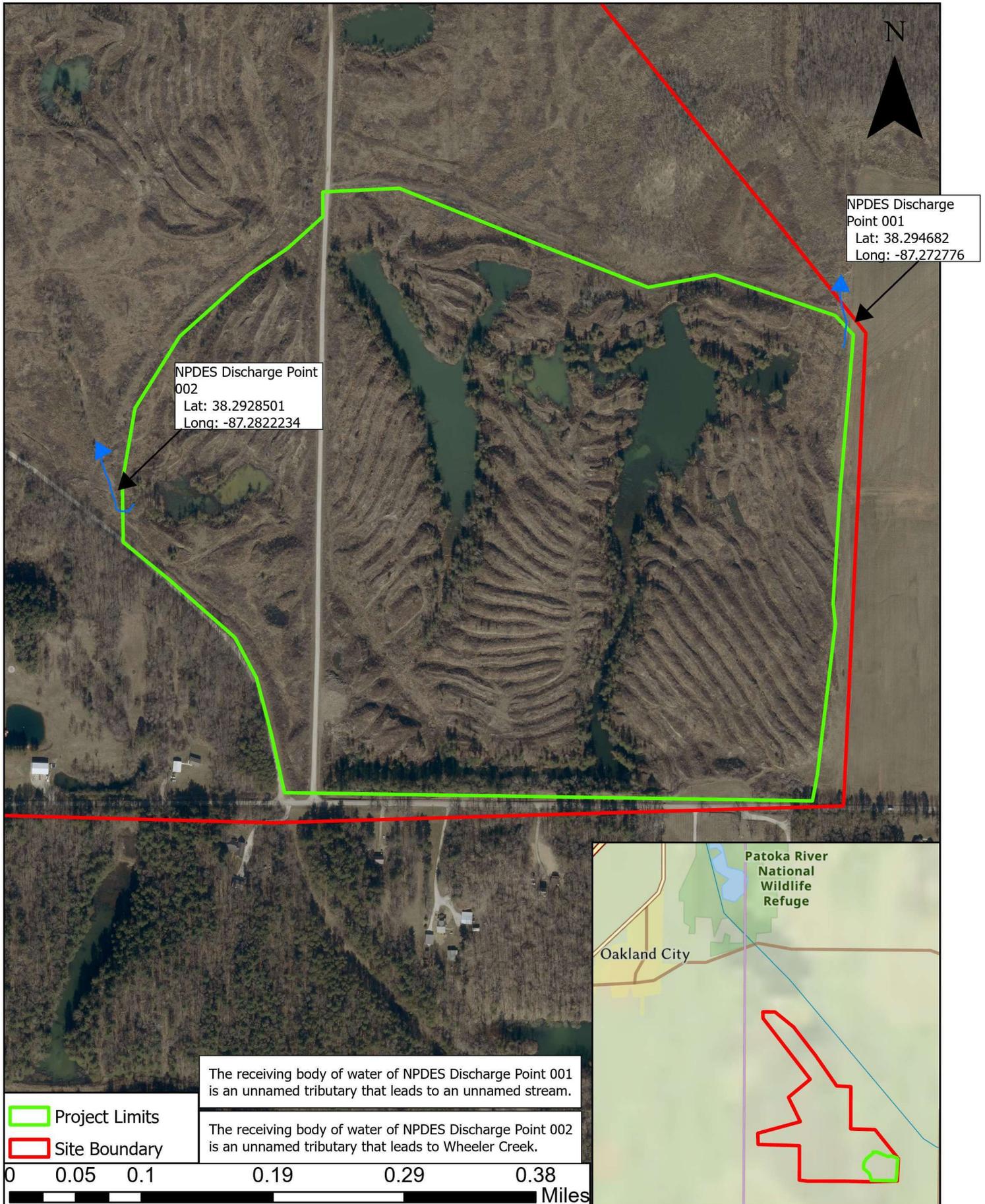


The Indiana Department of Natural Resources, Division of Reclamation, (14619 West State Road 48, Jasonville, IN 47438, Site 147 Located NE of the Intersection of Meridian Rd. and CR 900 South; 1.64 Miles NE of the Town of Spurgeon, IN in Marion Township, Pike County; Township 2 South, Range 8 West, Section 34 and 35) 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. Water will be discharged from this facility to unknown tributaries to Wheeler Creek and South Fork Patoka River. Any person aggrieved by this action may appeal in writing to the Office of Administrative Law Proceedings 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 provide all of the following information:

- (A) the name and address of the person making the request;
- (B) the interest of the person making the request;
- (C) the names of any persons represented by the person making the request;
- (D) statement, with particularity, the reasons for the request;
- (E) statement, with particularity, of the issues proposed for consideration at the hearing.

and
(F) statement, with particularity, of 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 the following:
Office of Administrative Law Proceedings
Indiana Government Center – North
100 North Senate Avenue,
suite N802
Indianapolis, IN 46204"

AML Site 147 NPDES Outfalls Map



I. Identification of Potentially Affected Persons

Please list here any and all persons whom 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: Flint, Mark - Pike County Commissioner | Name: |
| Street address: 801 E Main St | Street address: |
| City/State/ZIP code: Petersburg, IN 47567 | City/State/ZIP code: |
| | |
| Name: Nelson, Jeff - Pike County Commissioner | Name: |
| Street address: 801 E Main St | Street address: |
| City/State/ZIP code: Petersburg, IN 47567 | City/State/ZIP code: |
| | |
| Name: Coleman, Ryan - Pike County Commissioner | Name: |
| Street address: 801 E Main St | Street address: |
| City/State/ZIP code: Petersburg, IN 47567 | City/State/ZIP code: |
| | |
| Name: Pike County Land Company, LLC | Name: |
| Street address: 2381 S 500 E | Street address: |
| City/State/ZIP code: MONTGOMERY, IN 47558 | City/State/ZIP code: |
| | |
| Name: Holloway Jason Kirk and Annette Louise Holloway | Name: |
| Street address: 291 North Herbert Road | Street address: |
| City/State/ZIP code: VINCENNES, IN 47591 | City/State/ZIP code: |
| | |
| Name: Krohn, Myreon L & Nancy E | Name: |
| Street address: 8304 S State Road 61 | Street address: |
| City/State/ZIP code: Oakland City, IN 47660 | City/State/ZIP code: |
| | |
| Name: Richardson, Dalton | Name: |
| Street address: 477 E 900 S | Street address: |
| City/State/ZIP code: Oakland City, IN 47660 | City/State/ZIP code: |
| | |
| Name: Mason, James S. & Ila R. | Name: |
| Street address: 222 W County Road 900 S | Street address: |
| City/State/ZIP code: Oakland City, IN 47660 | City/State/ZIP code: |
| | |
| Name: Lecocq, Kenneth the Lecocq Real Estate Trust Date 2/20/25 | Name: |
| Street address: 626 E County Road 700 S | Street address: |
| City/State/ZIP code: OAKLAND CITY, IN 47660 | City/State/ZIP code: |
| | |
| Name: | Name: |
| Street address: | Street address: |
| City/State/ZIP code: | City/State/ZIP code: |

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: Ryan Kerns | Date: | |
| Facility name: AML Site 147 - Meridian Road Highwall | | |
| Facility address: Located NE of the Intersection of Meridian Rd. and CR 900 South; 1.64 Miles NE of the Town of Spurgeon, IN | | |
| Facility city: Spurgeon | Facility state: IN | ZIP code: 47660 |

III. Type of Action (check one)

- NPDES Permit-327 IAC 5
- Pretreatment Permit -327 IAC 5
- Construction Permit-327 IAC 3

A \$50.00 fee is required for a New permit, a Renewal or a Modification; if this is a renewal or modification request, include NPDES permit No. on check and return to:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
Cashiers Office – Mail Code 50-10C
100 North Senate Avenue
Indianapolis, IN 46204-2251

If No Fee Is Required (Fee has previously been paid), Return To:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
Office of Water Quality – Mail Code 65-42
Room N1255
Permits Branch
100 North Senate Avenue
Indianapolis, Indiana 46204-2251