



## 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](http://www.idem.IN.gov)

Mike Braun  
Governor

Clint Woods  
Commissioner

April 9, 2026

VIA ELECTRONIC MAIL: [JBoswell@peabodyenergy.com](mailto:JBoswell@peabodyenergy.com)

Mr. Jimmy Boswell, Authorized Representative  
Peabody Midwest Mining, LLC  
7100 Eagle Crest Blvd., Ste. 100  
Evansville, IN 47715

Dear Mr. Boswell:

Re: Renewal of NPDES General Permit  
Coverage No. ING040134  
IDNR Permit No. U-016  
Peabody Midwest Mining, LLC  
Air Quality Mine Hart Street South Portal  
5337 South Hart St.  
Vincennes, IN - Knox County

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

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.

Because 327 IAC 15-7 is a permit by rule, you will NOT be receiving an actual permit specific to your mine. Instead, your facility is covered by a general permit for facilities with similar activities and that discharge similar pollutants. 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>.



General permit rule 327 IAC 15-7 requires periodic reporting of several effluent parameters. Reporting is to be done using the federal Discharge Monitoring Report (DMR) form and the state Monthly Monitoring Report (MMR) form. The MMR form can be found on our website at <https://www.in.gov/ideM/cleanwater/wastewater-compliance/wastewater-reporting-forms-notice-and-instructions/>. Both the state and federal forms need to be completed and submitted on a routine basis. All NPDES permit holders are required to submit their monitoring data to IDEM using NetDMR. Information may be found on our website at <https://www.in.gov/ideM/cleanwater/resources/netdmr/>.

Your current general permit coverage for this facility expires on March 31, 2026; therefore, this renewal of coverage shall be deemed effective **April 1, 2026**, unless a person aggrieved or adversely affected by the acceptance appeals this decision. The renewed coverage for this facility will expire on **March 31, 2031**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as required by the IDEM no later than ninety (90) days prior to the date of expiration.

Renewal of coverage for the facility includes all outfalls listed on Attachment 1 to this correspondence. Effluent limits and sampling requirements are set forth in Attachment 2.

IDEM is required to serve notice of its decision to approve the renewal 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. The 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.

Mr. Jimmy Boswell, Authorized Representative  
Page 3 of 6

If you have any questions regarding this letter, please contact Ms. C. Anne Burget of my staff at [cburget@idem.IN.gov](mailto: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)  
U.S. EPA, Region 5

ATTACHMENT 1

**PEABODY MIDWEST MINING, LLC**

**AIR QUALITY MINE HART STREET SOUTH PORTAL**

NPDES PERMIT NO. **ING040134**

IDNR PERMIT NO. **U-016**

EFFECTIVE DATE: **APRIL 1, 2026**

**OUTFALLS PERMITTED FOR THIS FACILITY**

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
004	U-016 R-3	38°, 36', 38"	-87°, 24', 33"	Alkaline	Unnamed tributary to Upper River Deshee
006	U-016 002A	38°, 36', 25"	-87°, 25', 10"	Alkaline	Unnamed tributary to Upper River Deshee
007	U-016 002D	38°, 36', 4.2"	-87°, 25', 7.4"	Alkaline	Unnamed tributary to Upper River Deshee

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

001	U-016 001	38°, 35', 46.3"	-87°, 25', 8.1"	Fully Reclaimed	Unnamed tributary to Upper River Deshee
002	U-016 002	38°, 36', 10.9"	-87°, 25', 1.4"	Fully Reclaimed	Unnamed tributary to Upper River Deshee
005	U-016 005	38°, 36', 51.7"	-87°, 24', 33.7"	Fully reclaimed	Unnamed tributary to Upper River Deshee

**Attachment 2**

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

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.

**STATE OF INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PUBLIC NOTICE NO. 20260409-ING040134-GP**

**DATE OF NOTICE: April 9, 2026**

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

**RENEWAL of GENERAL PERMIT COVERAGE UNDER 327 IAC 15-7**

**PEABODY MIDWEST MINING LLC, AIR QUALITY MINE HART ST. SOUTH PORTAL**, NPDES Permit Coverage No. ING040134, located at 5337 South Hart St., Vincennes, IN (KNOX COUNTY). The permittee has requested renewal of NPDES general permit coverage under 327 IAC 15-7 for Facilities Engaged in Mining of Coal, Coal Processing, and Reclamation Activities. Permit coverage includes three (3) outfalls with locations and details as follows:

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
004	U-016 R-3	38°, 36', 38"	-87°, 24', 33"	Alkaline	Unnamed tributary to Upper River Deshee
006	U-016 002A	38°, 36', 25"	-87°, 25', 10"	Alkaline	Unnamed tributary to Upper River Deshee
007	U-016 002D	38°, 36', 4.2"	-87°, 25', 7.4"	Alkaline	Unnamed tributary to Upper River Deshee

This coal mine's current NPDES general permit coverage expires on March 31, 2026. This renewal of coverage is effective on April 1, 2026. For more information regarding this permit action, please contact Ms. C. Anne Burget at (317) 234-8745 or [cburget@idem.IN.gov](mailto:cburget@idem.IN.gov).

**Notice of Right to Administrative Review**

If you wish to challenge this permit action, 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 <http://www.in.gov/oalp>.



PEABODY MIDWEST MINING, LLC  
566 Dickeyville Rd  
Lynnville, IN 47619

December 30, 2025

Indiana Dept. of Environmental Mgmt.  
Office of Water Mgmt.  
Permits Section  
Mail Code 65-42  
100 North Senate Avenue  
Indianapolis, IN 46204-2251

**RE: Notice of Intent to Comply with 327 IAC 15-7  
NPDES General Permit ING040134 - RENEWAL  
Air Quality Mine – Hart Street South Portal**

Dear Sir or Madam:

On behalf of Peabody Midwest Mining, LLC, I am submitting this permit renewal to comply with 327 IAC 15-7 regulating facilities engaged in mining of coal, coal processing and reclamation activities.

We will be submitting the public notice for newspaper publication on Monday, January 5<sup>th</sup>. Proof of publication will be submitted once received.

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

Sincerely,

A handwritten signature in blue ink that reads "James Boswell". The signature is cursive and stylized.

James Boswell  
*Authorized Representative*

cc: Mr. John Voigt - DNR  
AQHSS NPDES File



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

<b>I. PURPOSE OF SUBMITTAL:</b>				<b>12/30/2025</b>
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
	<b>X</b>		<b>ING040134</b>	

<b>II. GENERAL INFORMATION</b>						
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
<b>Peabody Midwest Mining, LLC. Attn: James Boswell</b>		<b>1211</b>		<b>Knox</b>		<b>U-00016</b>
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS				h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER		
COMPANY NAME <b>Peabody Midwest Mining, LLC.</b>				Latitude		Longitude
STREET ADDRESS <b>566 Dickeyville Rd</b>				Degrees	minutes	seconds
CITY <b>Lynnville</b>	STATE <b>IN</b>	ZIP CODE <b>47619</b>	<b>38</b>	<b>36</b>	<b>25</b>	<b>87 25 10</b>
c. FACILITY NAME			i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION			
<b>Peabody Midwest Mining, LLC. Air Quality Mine – Hart Street South Portal</b>			Township	Range	Section	Quartersection
			<b>2N</b>	<b>9W</b>		
d. FACILITY MAILING ADDRESS				j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM IId		
STREET ADDRESS <b>5337 South Hart St. Road</b>				STREET ADDRESS <b>N/A</b>		
CITY <b>Vincennes</b>	STATE <b>IN</b>	ZIP CODE <b>47591</b>	CITY <b>N/A</b>	STATE <b>N/A</b>	ZIP CODE <b>N/A</b>	

<b>III. CONTACT INFORMATION AUTHORIZED SIGNATORY</b>	
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
<b>James Boswell, Authorized Representative</b>	<b>Karen Risner, Authorized Representative</b>
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE	e. ALTERNATE PERSON'S TELEPHONE
<b>(812) 922-1044</b>	<b>(812) 922-1048</b>
c. APPLICANT EMAIL ADDRESS	f. ALTERNATE PERSON'S EMAIL ADDRESS
<a href="mailto:jboswell@peabodyenergy.com">jboswell@peabodyenergy.com</a>	<a href="mailto:krisner@peabodyenergy.com">krisner@peabodyenergy.com</a>

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

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) <b>YES</b> <input checked="" type="checkbox"/> <b>NO</b> <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><b>This facility is an underground mine with surface facilities. Stormwater is collected, and passed through sediment treatment structures designed by professional engineers to detain a 10-year 24-hour storm event.</b></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 <b>OR if g is YES</b> name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
<b>See Attachment A</b>											
										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.
<b>Not Applicable</b>				

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

**Proof of publication will be provided once received.**

**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 Potentially 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.

**An online payment in the amount of \$100.00 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.

**I have forwarded a copy of this 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**

Name and official title (type or print)

**(812) 922-1044**

Area Code and phone No.



Signature

**12/30/2025**

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 X



### 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: <b>Please see Attachment B</b> 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:
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: **Air Quality Mine – Hart Street South Portal**

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 A

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 <b>OR if g is YES</b> name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
<b>Active outfalls currently permitted</b>											
004	R-3	38°	36'	38"	87°	24'	33"	0	Alkaline	No	Unnamed Tributary of Upper River Deshee
006	002A	38°	36'	25"	87°	25'	10"	0	Alkaline	No	Unnamed Tributary of Upper River Deshee
007	002D	38°	36'	04.2"	87°	25'	07.4"	0	Alkaline	No	Unnamed Tributary of Upper River Deshee
<b>Inactive outfalls, previously permitted</b>											
001	001	38°	35'	46.3"	87°	25'	08.1"	0	Dropped	No	Unnamed Tributary of Upper River Deshee
005	R-4	38°	36'	51.7"	87°	24'	33.7"	0	Dropped	No	Unnamed Tributary of Upper River Deshee

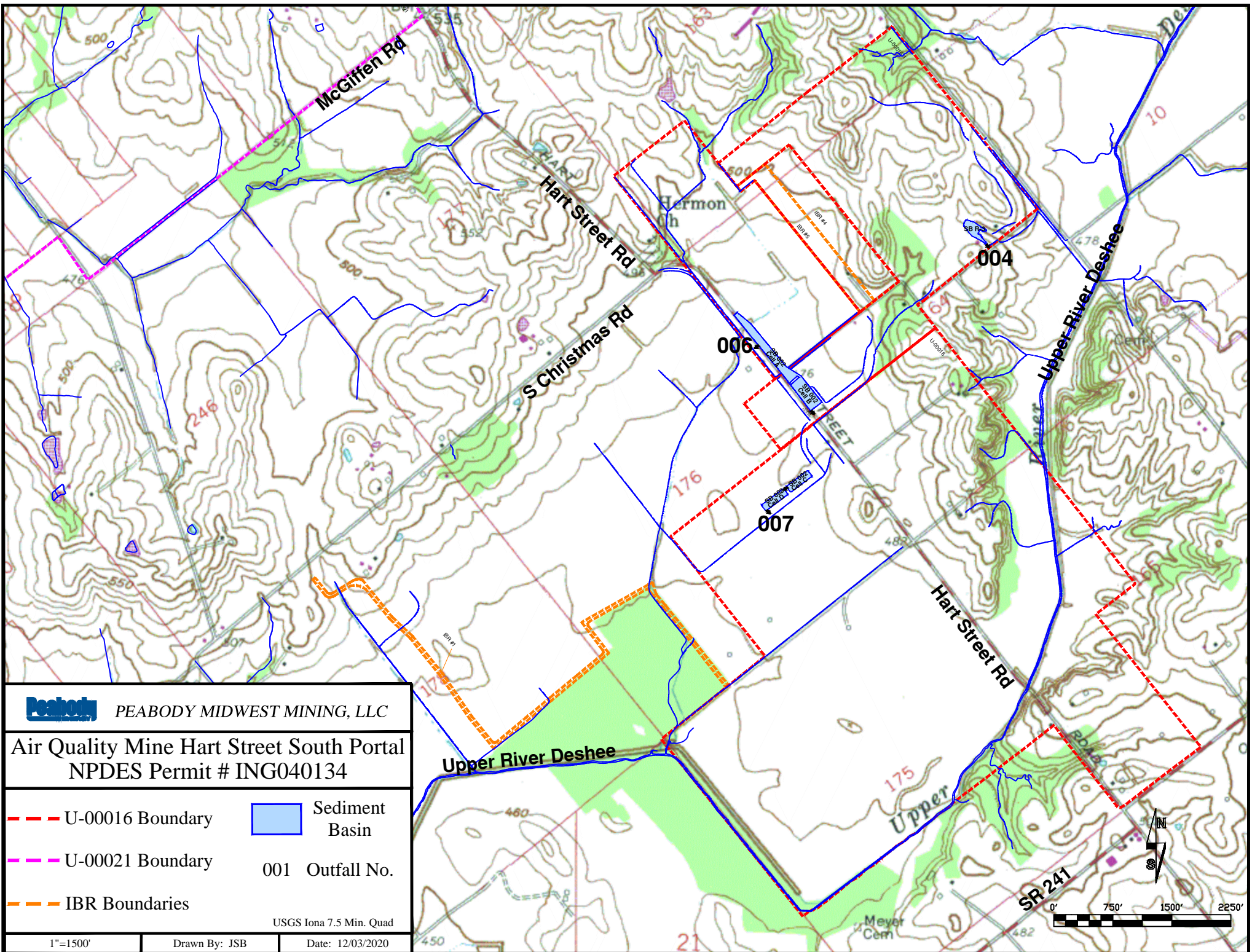
\*DWBF – Dry Weather Base Flow

## Attachment B

<b>Air Quality Hart Street South Portal Affected Parties List</b>		
Scott Joseph Holscher 814 E Purcell Station Rd. Vincennes, IN 47591	Deshee Valley LLC 3126 S Hart Street Rd Vincennes, IN 47591	Holscher Grain Farms 9120 East State Road 61 Vincennes, Indiana 47591 Attn: Jeremy Holscher
Siewers Farms LLC 2392 N Clydsdale Dr Vincennes, IN 47591	Larry & Wilda Martindale 3992 S Hart Street Rd Vincennes, IN 47591	American Land Holdings of Indiana LLC 701 Market St. Ste 700 Saint Louis MO 63101

### **Designation Notes for Affected Parties**

The affected parties list includes all residents adjacent to the surface effects area and the Unnamed Tributaries downstream of outfalls 004, 006, and 007.



# at Valspar

und and was ready to drive  
ome to south Florida when  
looked at the leaderboard  
d realized he probably  
eded to stick around given  
ow firm it was. He finally  
ft two hours later when  
nith posted at 9-under 275.



## Legal Notice To All

### Interested Persons:

ou are hereby notified that  
e 12th day of March 2026.  
6:00 p.m. in the Council  
ambers at the rear of City  
ll Vincennes, Indiana the  
ard of Zoning Appeals will  
nsider an application for a  
ariance) (conditional use) to  
rmit location of,  
cated at 529 Main Street  
rmer Old Chicago building)  
d owned by Eric Nieuhaus  
ore particularly described as  
ows:  
# 235 in old Town  
ncennes, Indiana  
b-Division  
tice is hereby given to all  
erested persons in order that  
ey might appear in person or  
ouncil if they have any  
estions concerning this  
tition for (variance) or (condi-  
nal use) or objections to the  
me which they want to be  
esent to the Vincennes Board  
Zoning Appeals. All petitions  
ay be reviewed prior to the  
aring at the office of the City  
pector.

**NOTE:**  
f the petition to be  
esented to the Board of  
ning Appeals is for a vari-  
ce from the Vincennes City,  
this space it must be  
erted how many feet from  
e property line  
de, Back, Front) the  
ucture is requested to be  
aced or built. **Example:** "to  
rmit location of a 24- foot by  
-foot residential garage to be  
nstructed within 3 foot of the  
le property line instead of the  
quired 6 foot



## LEGAL NOTICE

Peabody Midwest Mining, LLC,  
566 Dickeyville Rd, Lynnville,  
IN 47619 which operates the  
Air Quality Mine – Hart Street  
South Portal, located in  
Donations 163, 164, 165, 175,  
176, 177, and 178 of Town-  
ship 2 North, Range 9 West  
within Knox County, Indiana,  
and has ponds discharging into  
Unnamed Tributaries of Upper  
River Deshee, 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 ad-  
dress of the person making the  
request;  
(B) identify the interest of the  
person making the request.  
(C) identify any persons rep-  
resented by the person mak-  
ing 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**