



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

February 16, 2024

VIA ELECTRONIC MAIL : William.Driskell@Alcoa.com

Mr. William Driskell, Vice President
Alcoa Fuels, Inc.
4700 Darlington Rd.
Newburgh, IN 47630

Dear Mr. Driskell:

Re: IDEM Approval of Modification
of NPDES General Permit
Coverage # ING040256
DNR Basins S-366, S-366-1, S-366-2,
S-366-3, and S-349
Alcoa Fuels, Inc. - Liberty Mine
5555 New Harmony Rd.
Boonville, IN
Warrick County

Our office has received the modified Notice of Intent (NOI), submitted by Mr. Terry Kissel on your behalf, for the above-referenced facilities. We are pleased to inform you that the submittals are sufficient to comply with the NOI requirements for 327 IAC 15-7 and that your NPDES general permit coverage will be modified as follows:

Outfalls 021, 022, and 023 are being added to permit coverage. (See Table 1 on page 3 of this approval letter.)

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 on the first table of Attachment 1 to this correspondence.

Your modified permit coverage is **effective as of March 1, 2024. The additional quarterly monitoring requirements set forth in Attachment 2 shall become effective for the three new outfalls commencing with the second quarter of 2024 (April 1, 2024.)** You are required to follow all terms and conditions of 327 IAC 15-7. This facility's coverage under 327 IAC 15-7 will expire on March 31, 2026. In

order to receive authorization to discharge beyond this date, the permittee shall submit such a renewal NOI to IDEM no later than ninety (90) days prior to the date of expiration.

All NPDES permit holders are required to submit their monitoring data to IDEM using NetDMR. Please contact Helen Demmings (317) 232-8815 if you would like more information on NetDMR. Information is also available on the IDEM 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/>.

IDEM is required to serve notice of its decision to modify your facility's 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 Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of this letter. Addresses are as follows:

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

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

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

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

Sincerely,

Catherine Hess

Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Attachments

cc: Ms. Jayne Peltier, DNR, Division of Reclamation
NPDES Permits Program, U.S. EPA, Region 5
Mr. Terry Kissel, Loudermilk Contracting, Inc (Terry.Kissel@gmail.com)
Ms. Rachel Meeks, Alcoa Fuels, Inc. (Rachel.Wright@alcoa.com)

ATTACHMENT 1

ALCOA FUELS, INC. - LIBERTY MINE

NPDES GENERAL PERMIT COVERAGE # **ING040256**

DNR PERMIT NOs. S-0366, S-0366-1, S-366-2, S-0366-3, & S-349

EFFECTIVE DATE: **MARCH 1, 2024**

AUTHORIZED OUTFALLS

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
006	S-0366 SS-06	38°, 05', 36"	-87°, 21', 07"	Alkaline	Unnamed tributary to Squaw Creek
007	S-0366 SS-07	38°, 05', 30"	-87°, 21', 08"	Alkaline	Unnamed tributary to Squaw Creek
009	S0366-2 SS-09	38°, 05', 34"	-87°, 18', 05"	Alkaline	Unnamed tributary to Cypress Creek
010	S0366-2 SS-10	38°, 04', 55"	-87°, 18', 06"	Alkaline	Unnamed tributary to Cypress Creek
011	S0366-2 SS-11	38°, 04', 31"	-87°, 18', 24"	Alkaline	Unnamed tributary to Cypress Creek
012	S0366-2 SS-12	38°, 04', 13"	-87°, 18', 24"	Alkaline	Unnamed tributary to Cypress Creek
013	S0366-2 SS-13	38°, 04', 09"	-87°, 18', 55"	Alkaline	Unnamed tributary to Cypress Creek
014	S0366-2 SS-14	38°, 03', 50"	-87°, 19', 19"	Alkaline	Carter-Traylor Ditch
015	S0366-2 SS-15	38°, 03', 29"	-87°, 19', 27"	Alkaline	Carter-Traylor Ditch
016	S-0366 SS-16	38°, 03', 25"	-87°, 20', 32"	Alkaline	Unnamed tributary to Squaw Creek
017	S-0366 SS-17	38°, 03', 26"	-87°, 20', 45"	Alkaline	Unnamed tributary to Squaw Creek
018	S-0366 SS-18	38°, 03', 52"	-87°, 21', 13"	Alkaline	Unnamed tributary to Squaw Creek
019	S-0366 SS-19	38°, 04', 25"	-87°, 21', 45"	Alkaline	Unnamed tributary to Squaw Creek
020	S-0366 SS-20	38°, 04', 43"	-87°, 21', 41"	Alkaline	Unnamed tributary to Squaw Creek
021	S-0366-3 SS-21	38°, 05', 31"	-87°, 18', 54"	Alkaline	Carter-Traylor Ditch
022	S-0366-3 SS-22	38°, 06', 3"	-87°, 18', 55"	Alkaline	Unnamed tributary to Cypress Creek
023	S-0366-3 SS-23	38°, 06', 23"	-87°, 18', 54"	Alkaline	Unnamed tributary to Cypress Creek
200	S-0349 SS-002	38o, 05', 27"	-87o, 20', 19"	Alkaline	Unnamed Tributary to Squaw Creek

The following outfalls are no longer being used and are **no longer covered** by this permit:

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
001	S-0366 SS-01	38°, 06', 35"	-87°, 20', 10"	Removed	Squaw Creek
002	S-0366 SS-02	38°, 05', 50"	-87°, 20', 46"	Removed	Squaw Creek
003	S-0366 SS-03	38°, 05', 51"	-87°, 20', 55"	Removed	Squaw Creek
004	S-0366 SS-04	38°, 05', 26"	-87°, 21', 21"	Removed	Squaw Creek
005	S-0366 SS-05	38°, 06', 23"	-87°, 20', 26"	Removed	Squaw Creek
008	S-0366 SS-08	38°, 05', 34"	-87°, 20', 21"	Removed	Squaw Creek
104	S-0366 SS-04	38°, 05', 39"	-87°, 21', 16"	Removed	Squaw Creek

ATTACHMENT 2

The following effluent limitations and monitoring requirements are applicable to all outfalls listed in Attachment 1 of this approval letter:

Table 1 [1][5]

<u>Parameter</u>	<u>Monitoring Requirements</u>		<u>Units</u>	<u>Measurement Frequency [3][4]</u>	<u>Sample Type</u>
	<u>Monthly Average</u>	<u>Daily Maximum</u>			
Flow	Report	Report	MGD	2 X Monthly	Instantaneous
TSS	35	70	mg/l	2 X Monthly	Grab
Total Iron [2]	3.0	6.0	mg/l	2 X Monthly	Grab
Total Dissolved Solids [3]	Report	Report	mg/l	1 X Quarterly	Grab
Chloride [3]	Report	Report	mg/l	1 X Quarterly	Grab
Sulfate [3]	Report	Report	mg/l	1 X Quarterly	Grab
Magnesium [2] [3]	Report	Report	mg/l	1 X Quarterly	Grab
Manganese [2] [3]	Report	Report	mg/l	1 X Quarterly	Grab
Hardness (as CaCO ₃) [3]	Report	Report	mg/l	1 X Quarterly	Grab

Table 2

<u>Parameter</u>	<u>Quality or Concentration</u>		<u>Units</u>	<u>Monitoring Measurement Frequency</u>	<u>Requirements Sample Type</u>
	<u>Daily Minimum</u>	<u>Daily Maximum</u>			
pH	6.0	9.0	s.u.	2 X Monthly	Grab

- [1] In addition to the effluent limitations and monitoring requirements contained in Tables 1 and 2 of this authorization letter, the permittee must also ensure that all discharges comply with the Minimum Narrative Water Quality Standards as set forth in 327 IAC 15-7-7(b).
- [2] The permittee shall measure and report the identified metal in total recoverable form.
- [3] A minimum of one sample shall be collected, analyzed, and the results reported each calendar quarter. The monitoring results shall be reported on the March, June, September, and December DMR forms. The MMRs shall denote the actual day(s) on which the monitoring occurred. After a minimum of ten (10) quarters of sampling data have been completed, the permittee may submit a written request to IDEM to review this monitoring data for potential reduction or elimination of these monitoring requirements.
- [4] Monitoring and sampling are required when discharging. For months during which there is no discharge from a permitted outfall, the MMR/DMR should state "no discharge".
- [5] The permittee has stated that the dry weather base flow value for these outfalls is zero (0) cfs. The dry weather base flow is the normal base flow coming from an area or treatment facility which is not immediately affected by runoff caused by rainfall or a snowmelt. This flow is the result of ground water interference or a build-up of rainwater over a long period of time. The permittee may choose to apply the alternate effluent limitations set forth in 327 IAC 15-7-7(c) to a discharge (in lieu of the limits in Table 1) when the discharge flow rate exceeds the dry weather base flow based upon the precipitation events described therein.

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 20240216 - ING040256 – GP

DATE OF NOTICE: February 16, 2024

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

MODIFICATION OF COVERAGE UNDER 327 IAC 15-7

ALCOA FUELS INC. – Liberty Mine, NPDES General Permit Coverage No. ING040256, located at 5555 New Harmony Rd., Boonville, IN (WARRICK COUNTY). This facility is an active surface coal mine which operates under DNR Permits S-366, S-366-1, S-366-2, S-0366-3, & S-349. The permittee has submitted a complete Notice of Intent requesting to modify this mine's coverage under 327 IAC 15-7, the NPDES general permit-by-rule for Facilities Engaged in the Mining of Coal, Coal Processing, and Reclamation Activities. Three (3) outfalls are being added to permit coverage, all discharging to previously permitted receiving waters including the Carter-Traylor Ditch and unnamed tributaries of Cypress Creek. For more information regarding this permit 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 Environmental Adjudication (OEA) and serve a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

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

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

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

The petition must contain the following information:

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

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

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

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

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

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



October 2, 2023

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

**RE: NPDES ING040256 Modification
Alcoa Fuels Inc.
Liberty Mine**

Alcoa Fuels Inc. would like to submit the enclosed modification to NPDES Permit No. IND040256 for the Liberty Mine located in Warrick County. The following information is included in this submittal:

**\$50.00 Application Fee
NPDES General Permit Notice of Intent (NOI) Letter Submittal Application
Public Notice & Affidavit of Publication
Attachment V: Mine Map
Attachment VI: Proposed Outfalls
Attachment VIII: Topographic Map
Attachment X: Identification of Potentially Affected Parties**

Should you have any questions or comments regarding this submittal, please contact me at terry.kissel@gmail.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'T. Kissel', is written over a horizontal line.

Terry Kissel
Environmental Affairs Manager
Loudermilk Contracting

\$ 50
32654



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
		✓	ING040256	Add Outfalls 21, 22, & 23

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)			c. FACILITY SIC CODE		f. FACILITY COUNTY	
William Driskell			1221		Warrick	
g. DNR PERMIT OR AML SITE NUMBER			S-366, S-366-2			
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS			h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER			
COMPANY NAME			Latitude		Longitude	
Alcoa Fuels Inc.						
STREET ADDRESS			Degree	Minute	Second	
4700 Darlington Road			38	06	01	087 20 39
CITY	STATE	ZIP CODE				
Newburgh	IN	47630				
c. FACILITY NAME			i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION			
Liberty Mine			Township	Range	Section	Quartersection
			5S	8W	4,5,6,7,8,9,16,17,18,19,20,21	
			5S	9W	13,24	
d FACILITY MAILING ADDRESS			j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM Iid			
STREET ADDRESS			STREET ADDRESS			
5555 New Harmony Road						
CITY	STATE	ZIP CODE	CITY	STATE	ZIP CODE	
Boonville	IN	47601				

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
Terry Kissel, Environmental Affairs Manager	Rachel Meeks
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE	e. ALTERNATE PERSON'S TELEPHONE
812-630-9302	812-480-6879
c. APPLICANT EMAIL ADDRESS	f. ALTERNATE PERSON'S EMAIL ADDRESS
Terry.kissel@gmail.com	rachel.wright@alcoa.com

IV. CONTACT INFORMATION OTHER:

DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION		c. CONTACT AND COMPANY NAME Terry Kissel Loudermilk Contracting		
a. CONTACT TELEPHONE NUMBER 812-630-9302		d. STREET ADDRESS 2048 N. Loudermilk Road		
b. CONTACT EMAIL ADDRESS terry.kissel@gmail.com		e. CITY Vincennes	f. STATE IN	g. ZIP CODE 47591
ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS		j. COMPANY AND CONTACT PERSON NAME Alcoa Fuels Inc. Rachel Meeks		
h. CONTACT TELEPHONE NUMBER 812-480-6879		k. STREET ADDRESS 4700 Darlington Road		
i. CONTACT EMAIL ADDRESS rachel.wright@alcoa.com		l. CITY Newburgh	m. STATE Indiana	n. ZIP CODE 47630
OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW)		q. COMPANY AND CONTACT PERSON NAME		
o. CONTACT TELEPHONE NUMBER		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 ☒ NO ☐

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

Liberty Mine is a surface coal mine that will engage in surface and highwall/augering mining operations, processing coal, as well as land reclamation activities.

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

See Attachment VI.

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.				
										Y / N	
										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.
021	SS21	Add	8/30/23	Add discharge point for a sediment basin as part of an amendment to add acreage to DNR permit
022	SS22	Add	8/30/23	Add discharge point for a sediment basin as part of an amendment to add acreage to DNR permit
023	SS23	Add	8/30/23	Add discharge point for a sediment basin as part of an amendment to add acreage to DNR permit

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 attach 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

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.

SEE ATTACHMENT X.

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 \$ 50.00, 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:

Steve Weinzapfel – IDNR Division of Reclamation – Date: 10-2-23

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."

William Driskell, Vice President

812-853-1129

Name and official title (type or print)

Area Code and phone No.

William Driskell
William Driskell (Oct 20, 2023 09:44 CDT)

Signature

Oct 20, 2023

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: OUTFALL INFORMATION

VI. OUTFALL INFORMATION: Please fill out the following information for all outfalls													
a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE	deg	min	sec.	d. LONGITUDE	deg	min	sec.	e. DRY WEATHER BASE FLOW	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER
S-366 (Existing Approved Outfalls)													
006	SS-6	38		05	36	087		21	07	No Flow	Alkaline	No	Squaw Creek
007	SS-7	38		05	30	087		21	08	No Flow	Alkaline	No	Squaw Creek
009	SS-9	38		05	34	087		18	05	No Flow	Alkaline	No	UNT Cypress Creek
010	SS-10	38		04	55	087		18	06	No Flow	Alkaline	No	UNT Cypress Creek
011	SS-11	38		04	31	087		18	24	No Flow	Alkaline	No	UNT Cypress Creek
012	SS-12	38		04	13	087		18	24	No Flow	Alkaline	No	UNT Cypress Creek
013	SS-13	38		04	09	087		18	55	No Flow	Alkaline	No	UNT Cypress Creek
014	SS-14	38		03	50	087		19	19	No Flow	Alkaline	No	Carter-Traylor Ditch
015	SS-15	38		03	29	087		19	27	No Flow	Alkaline	No	Carter-Traylor Ditch
200	002	38		5	27	87		20	19	No Flow	Alkaline	No	UNT Squaw Creek
S-366-3 (Proposed Additional Outfalls)													
021	SS-21	38		5	31	87		18	54	No Flow	Alkaline	No	Carter-Traylor Ditch
022	SS-22	38		6	3	87		18	55	No Flow	Alkaline	No	UNT Cypress Creek
023	SS-23	38		6	23	87		18	54	No Flow	Alkaline	No	UNT Cypress Creek

PUBLIC NOTICE

Notice of Intent to Discharge Waste Water

Alcoa Fuels Inc., 4700 Darlington Road, Newburgh, IN 47630 is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent of comply with the requirements under 327 IAC 15-7 to discharge wastewater associated with the mining of coal, coal processing and /or reclamation activities at the Liberty Mine, 5555 New Harmony Road, Boonville, IN 47601. Streams that will receive discharge include an Unnamed Tributary to Cypress Creek, and Carter-Traylor Ditch. 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 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 should be mailed or delivered to:

Office of Environmental Adjudication
Indiana Government Center - North
100 North Senate Avenue, Room N501
Indianapolis, IN 46204

AFFP

PUBLIC NOTICE Notice of Intent

Affidavit of Publication

STATE OF IN }
COUNTY OF WARRICK } SS

Keishia Hicks, being duly sworn, says:

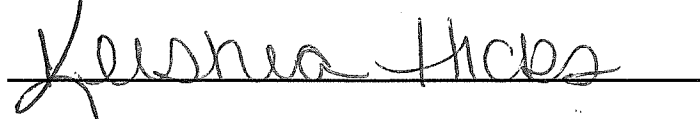
That she is Accounting Clerk of the The Standard, a newspaper of general circulation, printed and published in Boonville, Warrick County, IN; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

September 14, 2023

Publisher's Fee: \$ 124.00

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

SIGNED:



Subscribed to and sworn to me this 14th day of
September 2023.



PUBLIC NOTICE

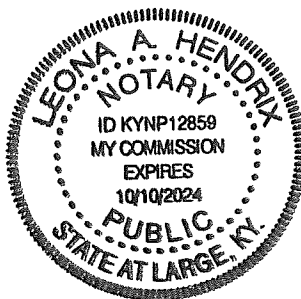
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Any such request should be mailed or delivered to:

Office of Environmental Adjudication
Indiana Government Center - North
100 North Senate Avenue, Room N501
Indianapolis, IN 46204
hspaxlp



70095871 70767053

Loudermilk Contracting
2048 Loudermilk Road
Vincennes, IN 47591

ATTACHMENT X

Identification of Potentially Affected Parties

State Form 49456 (7-99)

Indiana Department of Environmental Management

Office of Water Quality, 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 voiding 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.

Example: 65-42PS
John Doe
111 Circle Drive
City, State, Zip Code

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.

[illegible]

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: <u>TERRY KIESEL</u> Date: <u>10-2-23</u>
Facility Name: <u>Liberty Mine</u>	
Facility Address: <u>5555 New Harmony Road, Boonville, IN 47601</u>	

III. Type of Action (check one)

- ☒ NPDES Permit-327 IAC 5
☐ Land Application Permit-327 IAC 6.1
☐ Confined Feeding Approval-IC 13-18-10
☐ Sewer Ban Waiver Request-327 IAC 4
☐ Operator Certification-327 IAC 5-22
☐ Pretreatment Permit -327 IAC 5
☐ Construction Permit-327 IAC 3

If Fee Is Required, Return To: (include NPDES permit No. on check)

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

If No Fee Is Required, Return To:

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
Office of Water Quality – Mail Code 65-42
Municipal Permit Section
100 North Senate Avenue
Indianapolis, Indiana 46204-2251

65-42PS
ALCOA Fuels, Inc.
4700 Darlington Road
Newburgh, IN 47630

65-42PS
Warrick County Commissioners
107 W Locust St. Ste. 301
Boonville, IN 47601

65-42PS
1614 Sweetster LLC
PO Box 5542
Evansville, IN 47716

65-42PS
Pride, Steve & Lana
6600 Schultz Road
Elberfeld, IN 47613

65-42PS
Warrick Newco LLC
4700 Darlington Road
Newburgh, IN 47630

65-42PS
Wesley Chapel Cemetery c/o Judith
Camp
8016 River Park Way
Evansville, IN 47715

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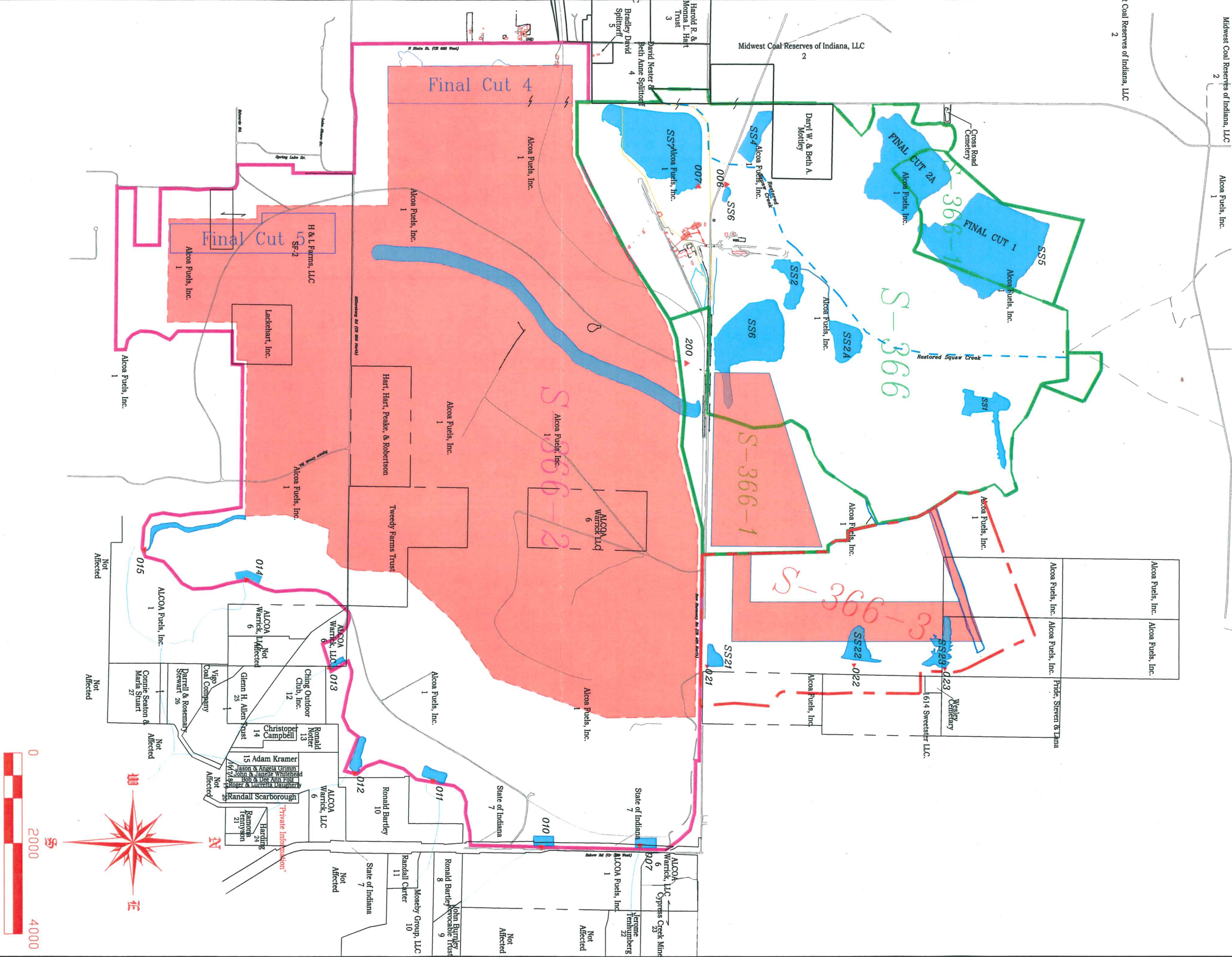
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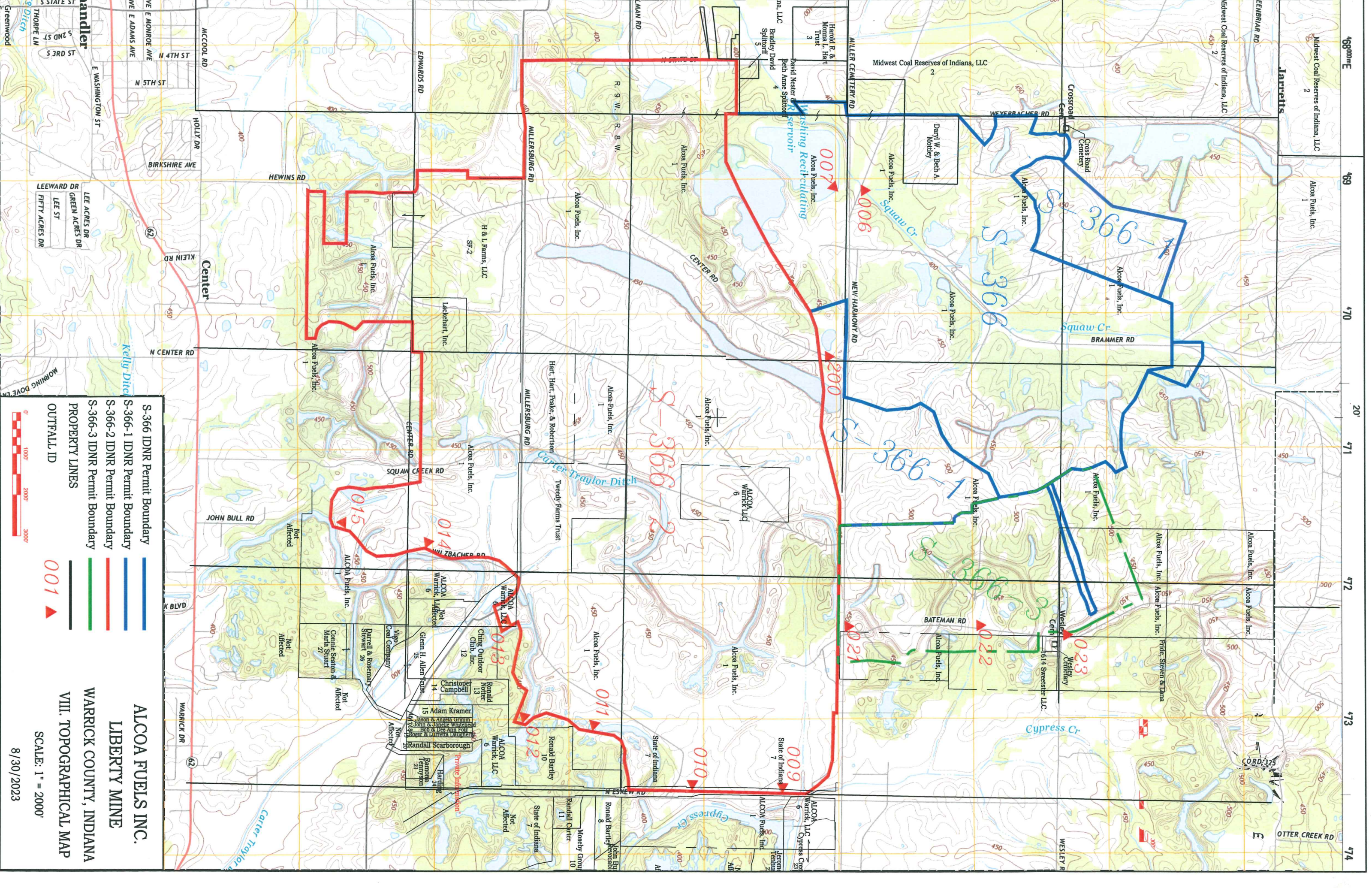
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65-42PS



S-366 IDNR Permit Boundary
S-366-2 IDNR Permit Boundary
S-366-3 IDNR Permit Boundary
Restored Squaw Creek
Outfall Location
Sediment Basins
Surface Mine Area

ALCOA Fuels Inc.
LIBERTY MINE
WARRICK COUNTY, INDIANA
V. MINE MAP
SCALE: 1" = 2000'



S-366 IDNR Permit Boundary

S-366-1 IDNR Permit Boundary

S-366-2 IDNR Permit Boundary

S-366-3 IDNR Permit Boundary

PROPERTY LINES

OUTFALL ID

ALCOA FUELS INC.

LIBERTY MINE

WARRICK COUNTY, INDIANA

VIII. TOPOGRAPHICAL MAP

SCALE: 1" = 2000'

8/30/2023