



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 23, 2024

VIA ELECTRONIC MAIL JBoswell@peabodyenergy.com

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

Dear Mr. Boswell:

Re: IDEM Approval of Modification
NPDES General Permit
Coverage #ING040231
DNR Permit No. S-0360
Peabody Midwest Mining, LLC
Wild Boar Mine
566 Dickeyville Rd.
Lynnville, IN - Warrick County

Our office received your NPDES Notice of Intent (NOI) on December 15, 2023, requesting modification of general permit coverage for the above-referenced facility. We are pleased to inform you that the submittal is sufficient to comply with the NOI requirements for 327 IAC 15-7 and that your facility's permit coverage will be modified as follows:

- **The mine drainage status of Outfall 034 will change from alkaline to acidic.**

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.

The NPDES general permit identification number assigned to this facility has not changed and is referenced above. The **effective date for the change in mine drainage status is deemed January 1, 2024** and expiration date for this facility's general permit coverage is June 30, 2028. You are required to follow all terms and conditions of 327 IAC 15-7. To receive authorization to discharge beyond this date, you must submit a renewal NOI to IDEM no later than ninety (90) days prior to the date of expiration.

Please note that IDEM is required to serve notice of its decision to accept your facility's modification of coverage under the general permit in accordance with the requirements of 327 IAC 5-3-14. 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. The 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 OEA 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 OEA.

Questions regarding this letter may be directed to Ms. C. Anne Burget of my staff at (317) 234-8745 or you may contact either of us via email 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 (JPeltier1@dnr.IN.gov)
U.S. EPA, Region 5, NPDES Permits Branch
Ms. Karen Risner, Peabody Midwest Mining, LLC (Krisner@peabodyenergy.com)

ATTACHMENT 1

PEABODY MIDWEST MINING, LLC - WILD BOAR MINE

NPDES PERMIT COVERAGE NO. **ING040231**

EFFECTIVE DATE: **JANUARY 1, 2024**

DNR PERMIT NUMBER **S- 0360**

OUTFALLS PERMITTED FOR THIS FACILITY

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
002	002	38°, 10', 33"	-87°, 16', 48.04"	Post-Mining	Unnamed Trib. to Big Creek
015**	015	38°, 9', 33.8"	-87°, 15', 10.0"	Alkaline	Unnamed Trib. to Big Creek
018*	018	38°, 10', 9.4"	-87°, 17', 1.12"	Alkaline	Unnamed Trib. to Big Creek
019	019	38°, 08', 51.25"	-87°, 17', 17.2"	Post-Mining	Unnamed Trib. to Otter Creek
025**	025	38°, 10', 35.9"	-87°, 17', 54"	Alkaline	Unnamed Trib. to Big Creek
027	027	38°, 10', 31.8"	-87°, 17', 08.0"	Post-Mining	Unnamed Trib. to Big Creek
029	029	38°, 9', 24.68"	-87°, 15', 04.68"	Alkaline	Unnamed Trib. to Barren Fork
033**	033	38°, 9', 56.45"	-87°, 17', 12.03"	Alkaline	Unnamed Trib. to Big Creek
034	034	38°, 10', 44.82"	-87°, 17', 46.29"	Acid	Unnamed Trib. to Big Creek
087	087	38°, 10', 43.8"	-87°, 16', 42.4"	Alkaline	Unnamed Trib. to Big Creek
089	089	38°, 10', 54"	-87°, 19', 8.7"	Acid	Unnamed Trib. to Big Creek
094	094	38°, 11', 0.0"	-87°, 19', 41.71"	Acid	Unnamed Trib. to Big Creek
096	200	38°, 11', 2.12"	-87°, 19', 43.07"	Alkaline	Unnamed Trib. to Big Creek
097	201	38°, 10', 54.81"	-87°, 19', 19.62"	Acid	Unnamed Trib. to Big Creek
231	031	38°, 10', 10.99"	-87°, 16', 31.65"	Post-Mining	Unnamed Trib. to Big Creek

* Outfall with coordinates that have been revised to "as built" coordinates

** Unconstructed outfall

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

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	REASON FOR DELETION	RECEIVING WATER
001	001	38°, 10', 24.8"	-87°, 17', 13.9"	Unconstructed	Unnamed Trib. to Big Creek
003	003	38°, 10', 45.07"	-87°, 18', 14.87"	Unconstructed	Unnamed Trib. to Big Creek
004	004	38°, 10', 35.18"	-87°, 18', 20.99"	Unconstructed	Unnamed Trib. to Big Creek
005	005	38°, 11', 3.35"	-87°, 16', 38.41"	Mined Through	Unnamed Trib. to Big Creek
006	006	38°, 10', 22.26"	-87°, 12', 37.06"	Removed	Unnamed Trib. to Barren Fork
06A	006	38°, 10', 22.8"	-87°, 13', 2.8"	Removed	Unnamed Trib. to Barren Fork
007	007	38°, 12', 3.41"	-87°, 14', 20.16"	Removed	Unnamed Trib. to Barren Fork
008	008	38°, 12', 00.6"	-87°, 14', 48.59"	Removed	Unnamed Trib. to Barren Fork
009	009	39°, 11', 52.12"	-87°, 15', 14.34"	Unconstructed	Unnamed Trib. to Big Creek
010	010	38°, 11', 29.6"	-87°, 12', 10.2"	Removed	Unnamed Trib. to Coles Creek
011	011	38°, 11', 26"	-87°, 12', 4.8"	Discharges thru Outfall 010	Unnamed Trib. to Barren Fork
012	012	38°, 10', 5.42"	-87°, 13', 10.1"	Never Constructed	Unnamed Trib. to Barren Fork
013	013	38°, 10', 5.67"	-87°, 15', 3.1"	Removed	Unnamed Trib. to Big Creek
014	014	38°, 9', 58.8"	-87°, 15', 40"	Removed	Unnamed Trib. to Otter Creek
016	016	38°, 10', 3.4"	-87°, 16', 32.85"	Replaced with new outfall 031	Unnamed Trib. to Big Creek
017	017	38°, 10', 0.7"	-87°, 16', 31.2"	Replaced with new outfall 031	Unnamed Trib. to Big Creek
020	020	38°, 7', 42.4"	-87°, 16', 55.6"	Never Constructed	Otter Creek
021	021	38°, 10', 29.5"	-87°, 16', 41.3"	Removed	Unnamed Trib. to Big Creek
022	022	38°, 10', 12.4"	-87°, 16', 45.4"	Removed	Unnamed Trib. to Big Creek
023	023	38°, 10', 44.4"	-87°, 17', 14.4"	Never Constructed	Unnamed Trib. to Big Creek
024	024	38°, 10', 47"	-87°, 18', 10.8"	Never Constructed	Unnamed Trib. to Big Creek
026	026	38°, 10', 40"	-87°, 17', 19.8"	Never Constructed	Unnamed Trib. to Big Creek
028	028	38°, 10', 51.1"	-87°, 17', 55.2"	Removed	Unnamed Trib. to Big Creek

030	030	38°, 11', 19.77"	-87°, 14', 36.55"	Removed	Unnamed Trib. to Big Creek
031	031	38°, 10', 10.4"	-87°, 16', 16.3"	Discharges thru Outfall 131	Unnamed Trib. to Big Creek
085	085	38°, 10', 39.5"	-87°, 17', 19.9"	Basin eliminated	Unnamed Trib. to Big Creek
086	086	38°, 10', 55.8"	-87°, 16', 26.2"	Mined through	Unnamed Trib. to Big Creek
088	088	38°, 10', 43.3"	-87°, 16', 43.7"	Mined through	Unnamed Trib. to Big Creek
090	090	38°, 11', 37.4"	-87°, 17', 28.8"	Removed	Unnamed Trib. to Big Creek
091	091	38°, 11', 11"	-87°, 15', 51.0"	Discharges thru Outfall 087	Unnamed Trib. to Big Creek
092	092	38°, 10', 52.3"	-87°, 16', 9.4"	Never constructed	Unnamed Trib. to Big Creek
093	093	38°, 10', 50.9"	-87°, 19', 16.2"	Never constructed	Unnamed Trib. to Big Creek
095	095	38°, 11', 44"	-87°, 16', 02"	Never constructed	Unnamed Trib. to Big Creek
098	098	38°, 10', 43.5"	-87°, 17', 3.3"	Removed	Unnamed Trib. to Big Creek
099	099	38°, 11', 56.29"	-87°, 15', 38.47"	Removed	Unnamed Trib. to Big Creek
131	031	38 °, 10', 20"	-87 °, 16', 33"	Removed	Unnamed Trib. to Big Creek

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 20240223 – ING040231 –GP

DATE OF NOTICE: February 23, 2024

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

MODIFICATION OF GENERAL PERMIT COVERAGE under 327 IAC 15-7

PEABODY MIDWEST MINING, LLC, WILD BOAR MINE, NPDES General Permit Coverage No. ING040231, located at 566 Dickeyville Rd., Lynnvile, IN (**WARRICK COUNTY**). This facility is an active surface coal mine (DNR Permit # S-0360). The permittee submitted a Notice of Intent to request modification of its general NPDES permit coverage under 327 IAC 15-7 for Facilities Engaged in the Mining of Coal, Coal Processing, and Reclamation Activities. The modification includes the change of mine drainage status of Outfall 034 from alkaline to acid. This modification is deemed effective January 1, 2024. For more information regarding this permit action, please contact Ms. C. Anne Burget at (317) 234-8745 or owqwwper@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>.



Peabody Midwest Mining, LLC
566 Dickeyville Road
Lynnville, IN 47619
812.922.1044

December 15, 2023

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

**RE: Notice of Intent to Comply with 327 IAC 15-7
Peabody Midwest Mining, LLC – Wild Boar Mine
NPDES General Permit ING040231 - MODIFICATION**

Dear Sir or Madam:

Peabody Midwest Mining, LLC, submits this notice of intent to comply with 327 IAC 15-7 regulating facilities engaged in mining of coal, coal processing and reclamation activities. We are requesting the following change to the NPDES permit:

1. Reclassify Outfall 034 as Acid. Outfall 034 is currently permitted as Alkaline, unconstructed. No disturbed drainage reports to Outfall 034 at this time. Water from RB010, will be pumped to Basin 034. Refuse basin RB010 is a gob and slurry disposal area. Due to refuse disposal activities, Peabody Midwest Mining requests that Outfall 034 be reclassified as Acid. Ms. Phyllis Hart, the Division of Reclamation inspector at Wild Boar Mine, has been notified of the change.

Additional detail is provided in the attached NOI. Should you have any questions or comments regarding this submittal, please contact me at our Lynnville office at (812) 922-1044 or jboswell@peabodyenergy.com.

Sincerely,

A handwritten signature in blue ink that reads "James Boswell".

James Boswell
Authorized Representative

cc: Jayne Peltier (DNR)
Phyllis Hart (DNR)
Robert Pendleton (Peabody)
Wild Boar 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

I. PURPOSE OF SUBMITTAL:				12/15/2023
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	ING040231	Reclassify Outfall 034 as Acid.

II. GENERAL INFORMATION										
Complete all boxes in sections a and b for name of company and person who is to receive the permit. Complete boxes in sections c, d, e, f, g, h, and i or fill in N/A for non-applicable as they apply for the facility that the permit is to apply to.										
a. APPLICANT NAME (TO THE ATTENTION OF)				e. FACILITY SIC CODE		f. FACILITY COUNTY		g. DNR FACILITY NUMBER		
Peabody Midwest Mining, LLC. Attn: James Boswell				1211		Warrick		S-00360		
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS				h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER						
COMPANY NAME Peabody Midwest Mining, LLC.				Latitude			Longitude			
STREET ADDRESS 566 Dickeyville Road				Degrees	minutes	seconds	degrees	minutes	seconds	
CITY Lynnville	STATE IN	ZIP CODE 47619		38	10	41.8	87	15	40.8	
c. FACILITY NAME				i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION						
Peabody Midwest Mining, LLC. – Wild Boar Mine				Township		Range		Section		Quartersection
				4S		7W		4-9 & 17-19		
				4S		8W		1-3, 7-18, 22-24, 26, 27, 34, & 35		
d. FACILITY MAILING ADDRESS				j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM IId						
566 Dickeyville Road				STREET ADDRESS						
CITY Lynnville	STATE IN	ZIP CODE 47619		CITY N/A		STATE N/A		ZIP CODE 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
James Boswell, Authorized Representative	Karen Risner, Authorized Representative
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE	e. ALTERNATE PERSON'S TELEPHONE
(812) 922-1044	(812) 922-1048
c. APPLICANT EMAIL ADDRESS	f. ALTERNATE PERSON'S EMAIL ADDRESS
jboswell@peabodyenergy.com	krisner@peabodyenergy.com

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

V. RULE QUALIFICATION:
<p>The purpose of this rule is to regulate wastewater discharges from surface mining, underground mining, and reclamation projects which utilize sedimentation basin treatment for pit dewatering and surface run-off and to require best management practices for storm water run-off.</p> <p>Does this facility meet these requirements? (please check one) YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p> <p>Please provide a brief description of the facility operation that results in the discharge. You may attach additional sheets.</p> <p>This facility is a surface coal mine. Stormwater is collected and passed through sediment treatment structures designed by professional engineers to detain a 10year-24hour storm event.</p>

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS											
a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if g is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
See Attachment A										Y / N	
										Y / N	
										Y / N	
										Y / N	
										Y / N	
										Y / N	

* DWBF – Dry Weather Base Flow

VII. OUTFALL INFORMATION FOR MODIFICATIONS: Please provide the following if this is a request to ADD, DELETE, or CHANGE MINE DRAINAGE STATUS of one or more outfalls:

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. DEL, ADD, or CHANGE	d. DATE OF CHANGE	e REASON FOR THE CHANGE: EXPLAIN IN DETAIL AND ATTACH CONFIRMING DOCUMENTATION IN THE FORM OF INSPECTORS REPORTS, LAB DATA, ETC.
034	034	CHANGE	1/1/2024	Reclassify as Acid

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.

See 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.

Please note: The public notice for this area was published with the original notice of intent/renewal. The outfall being modified was in an area that was previously public noticed.

X. POTENTIALLY AFFECTED PERSONS FORM

Pursuant to IC 4-21.5 it is required that a Potentially Affected Person form be completed and submitted with this application. The form and instructions are attached.

Please note: There are no new potentially affected parties in this submittal.

XI. REQUIRED FEES:

A \$50 application fee is required to be submitted with applications for new permits, permit modifications, and permit renewals in accordance with IC 13-18-20-12. In addition the \$500 annual fee is required to be submitted for NEW APPLICATIONS at the time of submitting the application.

An online payment in the amount of \$50.00 was submitted to IDEM on December 15, 2023.

XII. NOTIFICATION OF INDIANA DEPARTMENT OF NATURAL RESOURCES

It is required in all circumstances that a copy of this application is sent to the Indiana Department of Natural Resources (IDNR) Division of Reclamation in Jasonville, Indiana.

A copy of this application has been forwarded to Ms. Phyllis Hart, Indiana Department of Natural Resources, Division of Reclamation, 14619, W. State Road 48, Jasonville, IN 47438-9517.

XIII. CERTIFICATION STATEMENT

It is required by 327 IAC 15-4-3(g)(3) that the following statement shall be included in the application. The authorized signatory representative (as defined by 327 IAC 15-5-3(g)(2) and identified in item IIIa above) makes the following certification by signing and dating this section of the application below:

"I certify under penalty of law that this document and all its attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

James Boswell, Authorized Representative

(812) 922-1044

Name and official title (type or print)

Area Code and phone No.



Signature

12/15/2023

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**



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.

Please note: The public notice for this area was published with the original notice of intent/renewal. The outfall being modified was in an area that was previously public noticed.

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: 12/15/2023

Facility Name: Peabody Midwest Mining, LLC. – Wild Boar Mine

Facility Address: Peabody Midwest Mining, LLC., 566 Dickeyville Road, 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: Outfall Information

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS											
a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if g is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	Sec.				
001	001	38° 10' 24.8"			87° 17' 13.9"			0.00	Dropped	No	Unnamed tributary to Big Creek
002	002	38° 10' 33.0"			87° 16' 48.04"			0.00	Reclamation	No	Unnamed tributary to Big Creek
003	003	38° 10' 45.07"			87° 18' 14.87"			0.00	Dropped	No	Unnamed tributary to Big Creek
004	004	38° 10' 35.18"			87° 18' 20.99"			0.00	Dropped	No	Unnamed tributary to Big Creek
005	005	38° 11' 03.35"			87° 16' 38.41"			0.00	Dropped	No	Unnamed tributary to Big Creek
006	006	38° 10' 22.26"			87° 12' 37.06"			0.00	Dropped	No	Unnamed tributary to Barren Fork
06A	006	38° 10' 22. 8"			87° 13' 02.8"			0.00	Dropped	No	Unnamed tributary to Barren Fork
007	007	38° 12' 03.41"			87° 14' 20.16"			0.00	Dropped	No	Unnamed tributary to Barren Fork
008	008	38° 12' 00.6"			87° 14' 48.59"			0.00	Dropped	No	Unnamed tributary to Barren Fork
009	009	38° 11' 52.12"			87° 15' 14.34"			0.00	Dropped	No	Unnamed tributary to Big Creek
010	010	38° 11' 29.6"			87° 12' 10.2"			0.00	Dropped	No	Unnamed tributary to Coles Creek
011	011	38° 11' 26.0"			87° 12' 04.8"			0.00	Dropped	No	Unnamed tributary to Barren Fork
012**	012	38° 10' 05.42"			87° 13' 10.1"			0.00	Dropped	No	Unnamed tributary to Barren Fork
013	013	38° 10' 05.67"			87° 15' 03.1"			0.00	Dropped	No	Unnamed tributary to Big Creek
014	014	38° 09' 58.8"			87° 15' 40.0"			0.00	Dropped	No	Unnamed tributary to Otter Creek
015**	015	38° 09' 33.8"			87° 15' 10.0"			0.00	Alkaline	No	Unnamed tributary to Big Creek
016	016	38° 10' 03.4"			87° 16' 32.85"			0.00	Dropped	No	Unnamed tributary to Big Creek
017	017	38° 10' 00.7"			87° 16' 31.2"			0.00	Dropped	No	Unnamed tributary to Big Creek
018	018	38° 10' 08.71"			87° 17' 00.76"			0.00	Alkaline	No	Unnamed tributary to Big Creek
019	019	38° 08' 51.25"			87° 17' 17.2"			0.00	Reclamation	No	Unnamed tributary to Otter Creek
020**	020	38° 07' 42.4"			87° 16' 55.6"			0.00	Dropped	No	Otter Creek
021**	021	38° 10' 29.5"			87° 16' 41.3"			0.00	Dropped	No	Unnamed tributary to Big Creek
022**	022	38° 10' 12.4"			87° 16' 45.4"			0.00	Dropped	No	Unnamed tributary to Big Creek
023**	023	38° 10' 44.4"			87° 17' 14.4"			0.00	Dropped	No	Unnamed tributary to Big Creek
024	024	38° 10' 47.0"			87° 18' 10.8"			0.00	Dropped	No	Unnamed tributary to Big Creek
025**	025	38° 10' 35.9"			87° 17' 54"			0.00	Alkaline	No	Unnamed tributary to Big Creek
026	026	38° 10' 40.0"			87° 17' 19.8"			0.00	Dropped	No	Unnamed tributary to Big Creek
027	027	38° 10' 31.8"			87° 17' 08.0"			0.00	Reclamation	No	Unnamed tributary to Big Creek
028	028	38° 10' 51.1"			87° 17' 55.2"			0.00	Dropped	No	Unnamed tributary to Big Creek
029	029	38° 09' 24.68"			87° 15' 04.68"			0.00	Alkaline	No	Unnamed tributary to Barren Fork

* DWBF – Dry Weather Base

** Outfall is Unconstructed

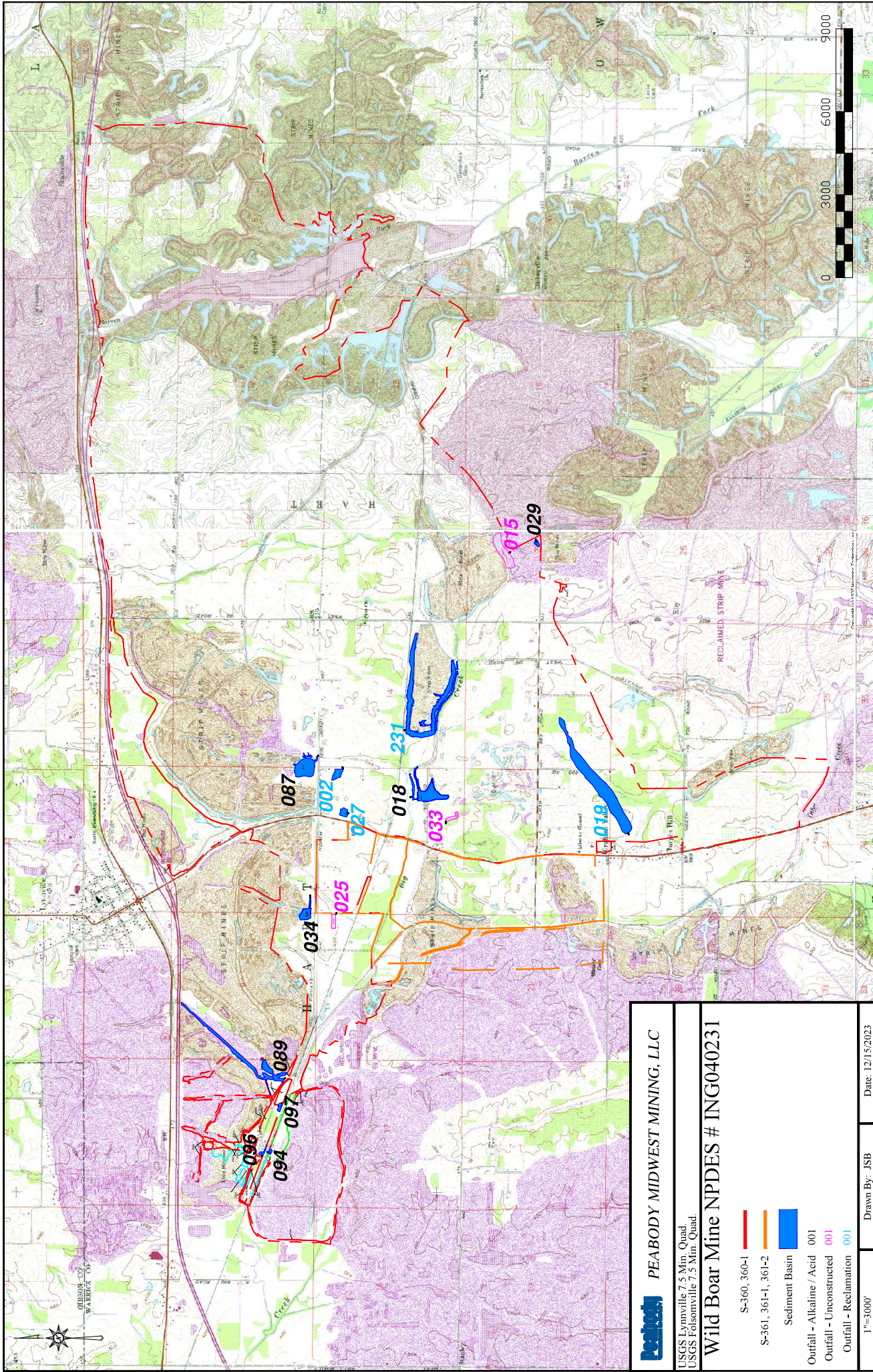
Attachment A: Outfall Information Continued


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

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if g is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	Sec.				
030	030	38°	11'	19.77"	87°	14'	36.55"	0.00	Dropped	No	Unnamed tributary to Big Creek
031	031	38°	10'	10.4"	87°	16'	16.3"	0.00	Dropped	No	Unnamed tributary to Big Creek
033**	033	38°	09'	56.45"	87°	17'	12.03"	0.00	Alkaline	No	Unnamed tributary to Big Creek
034	034	38°	10'	44.82"	87°	17'	46.29"	0.00	Acid	No	Unnamed tributary to Big Creek
085	085	38°	10'	39.5"	87°	17'	19.9"	0.00	Dropped	No	Unnamed tributary to Big Creek
086	086	38°	10'	55.8"	87°	16'	26.2"	0.00	Dropped	No	Unnamed tributary to Big Creek
087	087	38°	10'	43.8"	87°	16'	42.4"	0.00	Alkaline	No	Unnamed tributary to Big Creek
088	088	38°	10'	43.3"	87°	16'	43.7"	0.00	Dropped	No	Unnamed tributary to Big Creek
089	089	38°	10'	54.0"	87°	19'	08.7"	0.00	Acid	No	Unnamed tributary to Big Creek
090	090	38°	11'	37.4"	87°	17'	28.8"	0.00	Dropped	No	Unnamed tributary to Big Creek
091	091	38°	11'	11"	87°	15'	51"	0.00	Dropped	No	Unnamed tributary to Big Creek
092**	092	38°	10'	52.3"	87°	19'	09.4"	0.00	Dropped	No	Unnamed tributary to Big Creek
093**	093	38°	10'	50.9"	87°	19'	16.2"	0.00	Dropped	No	Unnamed tributary to Big Creek
094	094	38°	11'	00.0"	87°	19'	41.71"	0.00	Acid	No	Unnamed tributary to Big Creek
095	095	38°	11'	44"	87°	16'	02"	0.00	Dropped	No	Unnamed tributary to Big Creek
096	200	38°	11'	02.12"	87°	19'	43.07"	0.00	Alkaline	No	Unnamed tributary to Big Creek
097	201	38°	10'	54.81"	87°	19'	19.62"	0.00	Acid	No	Unnamed tributary to Big Creek
098	098	38°	10'	44"	87°	17'	03"	0.00	Dropped	No	Unnamed tributary to Big Creek
099	099	38°	11'	56.29"	87°	15'	38.47"	0.00	Dropped	No	Unnamed tributary to Big Creek
131	031	38°	10'	02"	87°	16'	33"	0.00	Dropped	No	Unnamed tributary to Big Creek
231	031	38°	10'	10.99"	87°	16'	31.65"	0.00	Reclamation	No	Unnamed tributary to Big Creek

* DWBF – Dry Weather Base

** Outfall is Unconstructed



 **PEABODY MIDWEST MINING, LLC**

USGS Lynnville 7.5 Min. Quad
USGS Folsomville 7.5 Min. Quad

Wild Boar Mine NPDES # ING040231

S-360, 360-1

S-361, 361-1, 361-2

Sediment Basin

Outfall - Alkaline / Acid 001

Outfall - Unconstructed 001

Outfall - Reclamation 001

1"=3000'

Drawn By: JSB

Date: 12/15/2023