



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

April 15, 2024

VIA ELECTRONIC MAIL : RPigg@sunrisecoal.com

Mr. Rick Pigg, V.P. of Underground Operations
Prosperity Mine, LLC
1183 E. Canvasback Dr.
Terre Haute, IN 47802

Dear Mr. Pigg:

Re: IDEM Approval of Modification of Coverage
NPDES General Permit No. ING040166
DNR Permit No. U-025
Prosperity Mine
6594 W. SR 56
Petersburg, IN - Pike County

Our office has received the Notice of Intent (NOI) renewal request, which was submitted on February 15, 2024 by Anthony Brklach on your behalf, for the above-referenced facility. We are pleased to inform you that the submittal is sufficient to comply with the NOI requirements for renewal of coverage under 327 IAC 15-7, the NPDES general permit-by-rule for Facilities Engaged in Mining of Coal, Coal Processing, and Reclamation Activities. Your permit coverage will be renewed as requested. The general permit rule requirements are contained in 327 IAC 15-1 through 15-4 and 15-7.

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. We have determined that there will not be a new or increased loading of pollutants into the receiving stream(s), therefore the approval of this modification of coverage complies with the antidegradation standards at 327 IAC 2-1.3.

The NPDES general permit coverage number assigned to this facility in the previous approval will continue to apply and is noted above. Reporting is to be done using the federal Discharge Monitoring Report (DMR) form and the state Monthly Monitoring Report (MMR) form. 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. Please see our website at <https://www.in.gov/idem/cleanwater/resources/netdmr/> or contact Helen Demmings at (317) 232-8815 or Hdemming@IDEM.IN.gov for more information.

You are responsible for following the general rule requirements contained in 327 IAC 15-1 through 15-4 and 15-7. Please be advised that these rules are available at <https://www.in.gov/idem/legal/rulemaking/>. Permit coverage for the facility will include all outfalls listed on Attachment 1 to this correspondence and the discharge limits on Attachment 2. Since the current coverage will be expiring on April 30, 2024, this renewal of general permit coverage shall become effective on **May 1, 2024** unless a person aggrieved or adversely affected by the acceptance appeals this decision. The expiration date for the new permit term is April 30, 2029.

In order to receive authorization to discharge beyond the expiration date, you are required to submit the information and forms as required by 327 IAC 15-7 no later than ninety (90) days prior to the expiration date.

Please note that IDEM shall serve notice of its decision to accept your facility's renewal of 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. A copy must also be served upon IDEM. Addresses are as follows:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 103
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. Please note that in accordance with 327 IAC 15-7-5(c) IDEM shall publish a notice of its decision to accept your facility for coverage under the general permit rule.

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

Sincerely,

Catherine Hess

Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Attachment

cc: Pike County Health Department
Mr. Anthony Brklach, Sunrise Coal, LLC (ABrklach@sunrisecoal.com)
Mr. Koye Kaiser, Sunrise Coal, LLC (KKaiser@sunrisecoal.com)
Ms. Jayne Peltier, DNR, Division of Reclamation (jpeltier1@dnr.IN.gov)
U.S. EPA, Region 5

ATTACHMENT 1

Prosperity Mine, LLC – Prosperity Mine

NPDES PERMIT NO.: ING040166

RENEWAL EFFECTIVE DATE: MAY 1, 2024

DNR PERMIT NUMBER: U-025

PERMITTED OUTFALLS

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
001	SB-I	38°, 29', 36"	-87°, 23', 36"	Acid	Conger Creek
002	SB-C	38°, 29', 30"	-87°, 23', 54"	Alkaline	Conger Creek
003	SB-F	38°, 29', 41"	-87°, 23', 54"	Alkaline	Conger Creek
004	SB-G	38°, 29', 30"	-87°, 24', 12"	Alkaline	Conger Creek
005	SB-J	38°, 29', 25"	-87°, 23', 21"	Acid	Conger Creek
006	SB-E	38°, 29', 47"	-87°, 22', 41"	Alkaline	Conger Creek
007	SB-K	38°, 29', 28"	-87°, 23', 39"	Unconstructed	Conger Creek
008	SB-L	38°, 29', 14"	-87°, 23', 19"	Unconstructed	Conger Creek

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 20240415 – ING040166 – GP

DATE OF NOTICE: April 15, 2024

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

RENEWAL of COVERAGE under 327 IAC 15-7

PROSPERITY MINE, LLC - PROSPERITY MINE, Permit Coverage No. ING040166. The mining operations are located at 6594 W SR 56, Petersburg, IN (PIKE COUNTY). The permittee has requested renewal of NPDES general permit 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. The mine has 8 outfalls, 6 of which are active as of the date of this notice, all of which have discharge(s) to Conger Creek. For more information regarding this action, please contact Ms. C. Anne Burget at (317) 234-8745 or cburget@idem.IN.gov. Posted online at <https://www.in.gov/idem/public-notices/>.

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/>.



1183 East Canvasback Drive
Terre Haute, IN 47802

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

February 15, 2024

Re: NPDES General Permit No. ING040166 – Application for renewal of permit

To Whom It May Concern:

Please find enclosed one copy of the application for the renewal of NPDES General Permit No. ING040166, as well as 100 dollars to cover the application fee. The renewal will be necessary for the continuation of mining and reclamation operations on site.

If you have any questions or require additional information, please contact me by phone at 812-299-2800 ex. 211 or by email at abrklach@sunrisecoal.com. Thank you for your assistance with this matter.

Sincerely,

Anthony Brklach, EIT
Mine Engineer/Permit Coordinator
Sunrise Coal, LLC

Enclosure



I. PURPOSE OF SUBMITTAL:				
Please check one box. Also provide existing permit number and reason for modification if applicable. You may attach additional sheets if they are needed.				
NEW	RENEW	MODIFY	EXISTING PERMIT NO.	IF MODIFICATION WHAT IS CHANGING
	X		ING040166	

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		
Anthony Brklach				1222		Pike		U-025		
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS				h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER						
COMPANY NAME				Latitude			Longitude			
Prosperity Mine, LLC										
STREET ADDRESS				degree	minute	second	degree	minute	Second	
1183 E Canvasback Drive										
CITY		STATE	ZIPCODE	N38	29	33	W87	23	42	
Terre Haute		IN	47802							
c. FACILITY NAME				i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION						
Prosperity Mine				Township		Range		Section		Quartersection
				1N		9W		22,23,26,27,28		N/A
d. FACILITY MAILING ADDRESS				j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM IId						
STREET ADDRESS				STREET ADDRESS						
6594 West State Road 56				Same as mailing address.						
CITY		STATE	ZIP CODE	CITY		STATE		ZIP CODE		
Petersburg		IN	47567							

III. CONTACT INFORMATION AUTHORIZED SIGNATORY	
This section applies to the responsible corporate officer and/or alternate person who is Authorized to be responsible for all signatory responsibilities for the facility under 327 IAC 15-4-3 (g). Please complete all boxes or mark N/A for non-applicable.	
a. APPLICANT SIGNATORY CONTACT PERSON AND TITLE	d. ALTERNATE PERSON TO ANSWER QUESTIONS
Rick Pigg, Vice President of Operations	Anthony Brklach, Mine Engineer
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE	e. ALTERNATE PERSON'S TELEPHONE
812.745.2920	812.299.2800 ext. 211
c. APPLICANT EMAIL ADDRESS	f. ALTERNATE PERSON'S EMAIL ADDRESS
rpigg@sunrisecoal.com	abrklach@sunrisecoal.com

IV. CONTACT INFORMATION OTHER:			
DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION		c. <u>CONTACT AND COMPANY NAME</u>	
Koye Kaiser		Sunrise Coal, LLC	
a. <u>CONTACT TELEPHONE NUMBER</u> 812.745.2920		d. <u>STREET ADDRESS</u> 1183 East Canvasback Drive	
b. <u>CONTACT EMAIL ADDRESS</u> kkaiser@sunrisecoal.com		e. <u>CITY</u> Terre Haute	f. <u>STATE</u> IN
		g. <u>ZIP CODE</u> 47802	
ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS		j. <u>COMPANY AND CONTACT PERSON NAME</u>	
Tyler Martin		Sunrise Coal, LLC- Anthony Brklach, EIT	
h. <u>CONTACT TELEPHONE NUMBER</u> 812.299.2800		k. <u>STREET ADDRESS</u> 1183 East Canvasback Drive	
i. <u>CONTACT EMAIL ADDRESS</u> tmartin@sunrisecoal.com		l. <u>CITY</u> Terre Haute	m. <u>STATE</u> IN
		n. <u>ZIP CODE</u> 47802	
OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW)		q. <u>COMPANY AND CONTACT PERSON NAME</u>	
o. <u>CONTACT TELEPHONE NUMBER</u>		r. <u>STREET ADDRESS</u>	
p. <u>CONTACT EMAIL ADDRESS</u>		s. <u>CITY</u>	t. <u>STATE</u>
		u. <u>ZIP CODE</u>	

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) <u>YES</u> <input checked="" type="checkbox"/> <u>NO</u> <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>The facility is an idle underground mine (SIC 1222) currently engaged in the extraction of coal via surface mining activities as in conjunction with final reclamation of the site.</p>

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS											
a. DNR OUTFALL NO.	b. DNR Basin No.	c. LATITUDE			d. LONGITUDE			e. DRY WEATHER BASE FLOW	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if g is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg.	min.	sec.	deg.	min.	sec.				
001	SB-I	N38	29	36	W87	23	36	0	Acid	N	Conger Creek
002	SB-C	N38	29	30	W87	23	54	0	Alkaline	N	Conger Creek
003	SB-F	N38	29	41	W87	23	54	0	Alkaline	N	Conger Creek
004	SB-G	N38	29	30	W87	24	12	0	Alkaline	N	Conger Creek
005	SB-J	N38	29	25	W87	23	21	0	Acid	N	Conger Creek
006	SB-E	N38	29	47	W87	22	41	0	Alkaline	N	Conger Creek
007	SB-K	N38	29	28	W87	23	39	0	Not Constructed	N	Conger Creek
008	SB-L	N38	29	14	W87	23	19	0	Not Constructed	N	Conger Creek

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 and outfall NO.	c. DEL, ADD, 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.

VIII. TOPOGRAPHICAL MAP

A topographical map must be submitted with this application. The map must include the following items:

- (A) the location of the coal mining operation, including contiguous facility property lines, shown clearly and identified by name and by mark;
- (B) the location of each numbered outfall shown clearly and identified by number and by mark;
- (C) the receiving streams and tributaries to them that each outfall discharges to shown clearly and identified by name;
- (D) any existing permanent structures or roads in the area shown clearly and identified by name.

Please attach this completed map to the application and submit both together.

IX. PROOF OF PUBLICATION

It is required that a public notice statement be published in a newspaper of largest circulation in the area where the discharge(s) will be occurring. This publication must be in the newspaper for a minimum of one day and must include the following language: (your facility name, address, address of the location of the discharging facility, and the streams receiving the discharge(s)) "is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirement under 327 IAC 15-7 to discharge wastewater associated with the mining of coal, coal processing and /or reclamation activities. Any person aggrieved by this action may appeal in writing to the Environmental Law Judge of the Office of Environmental Adjudication for an adjudicatory hearing on the question of whether this facility should operate under this NPDES general permit rule. An appeal must be postmarked no later than fifteen (15) days from the date of this public notice. Such a written request for an adjudicatory hearing must:

- (A) state the name and address of the person making the request;
- (B) identify the interest of the person making the request;
- (C) identify any persons represented by the person making the request;
- (D) state with particularity the reasons for the request;
- (E) state with particularity the issues proposed for consideration at the hearing; and
- (F) state with particularity the reasons why the NPDES general permit rule should not be available to the discharger identified in this notice.

Any such request shall be mailed or delivered to:
Office of Environmental Adjudication
Indiana Government Center – North
100 North Senate Avenue, Room N501
Indianapolis, Indiana 46204"

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

X. POTENTIALLY AFFECTED PERSONS FORM

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

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

XI. REQUIRED FEES:

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

Please list amount submitted \$ 100.00, 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:

Jayne Peltier

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."

Rick Pig, Authorized Representative

812.745.2920

Name and official title (type or print)

Area Code and phone No.

Signature

Date signed

Submit completed form and attachments to the following address:

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

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)

GENERAL INFORMATION FORM

(TO BE SUBMITTED WITH FORMS 2C, 2D AND 2E)

(Replaces EPA General Form 1) Revised 4/28/97

1. Name of Facility: Prosperity Mine, LLC – Prosperity Mine

2. Facility Contact

Name: Anthony BrklachAddress: 1183 East Canvasback DriveCity or Town: Terre Haute State: IN Zip Code: 47802Telephone: Voice: (812) 299-2800 ext. 211 FAX: _____

3. Certified Operator

Name: Discharge to be sampled by RoseDale Services, Inc.Certification #: 6032 Classification: _____Address: 503 5th St ACity or Town: Henderson State: KY Zip Code: 42420Telephone: Work: (270) 830-7075 Home: (270) 830-7075

4. Facility Mailing Address

Street or P.O. Box: 6594 West State Road 56City or Town: Petersburg State: IN Zip Code: 47567

5. Facility Location

Street, Route No. or Other Specific Identifier: Mine entrance approximately 0.1 miles Northeast
of junction of W County Road 475 N and N County Road 700 W, Pike County, Indiana
Prosperity Mine, LLC, 6594 West State Road 56, Petersburg, IN 47567

6. Type of Permit Action:

New _____ Renewal _____ Modification X7. EPA I.D. Number: ING040166

GENERAL INFORMATION FORM

8. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the state? (Form 2B)

Yes _____ No XX Form Attached _____

9. Is this a facility which currently results in discharges to waters of the state other than described in 8? (Form 2C-Process Wastewater or Form 2E-Nonprocess Wastewater)

Yes XX No _____ Form Attached **Form C with attachments**

10. Is this a proposed facility (other than described in 8) which will result in a discharge to waters of the state? (Form 2D)

Yes XX Addition of Outfalls 007 and 008 No _____

11. SIC Codes (4-digit, in order of priority)

First: 1222 Specify: Bituminous Coal Underground Mine

Second: _____ Specify: _____

Third: _____ Specify: _____

Fourth: _____ Specify: _____

12. Existing Environmental Permits (Identification #)

NPDES (Discharges to Surface Waters): ING 040166 (General Permit)

UIC (Underground Injection of Fluids): IN-125-5X13-0001

RCRA (Hazardous Wastes): _____

PSD (Air Emissions from Proposed Sources): S-125-45231-00037 (SSOA Genral Permit

Other: # U-025 Specify: Approved Indiana Mine Permit Number

Other: 12-02249 Specify: MSHA - Safety

Other: 199900318-ejs Specify: USACE- Section 404

Other: Reg. #04617 Specify: DOW- Significant Water Withdrawal Facility

Other: N 00802 Specify: IN State Fire Marshall- Explosive Magazine

Other: 4-IN-051-20-30-0014 Specify: ATF- Explosive Purchasing

13. Nature of Business (Provide a Brief Description)

Prosperity Mine, LLC, processes and sells bituminous coal. The Prosperity Mine is a underground coal mine with coal yard, where mined and washed and shipped to nearby customers. The facility is currently preparing to extract coal through surface mining as part of final reclamation activities on site.

GENERAL INFORMATION FORM

14. Map

Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluid underground. Include all springs, rivers and other surface water bodies in the map area.

15. Signature Block:

This application must be signed by a person in responsible charge to be valid. This signature attests to the following:

"I certify under penalty of law that this document and all 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".

Rick Pigg
(Printed Name)

Authorized Representative
(Title)

(Signature) Rick Pigg

2-13-2024
(Date Signed)

Return Completed Application and Associated Materials to:

Indiana Department of Environmental Management
Office of Water Quality
NPDES Permits Section
P.O. Box 6015
Indianapolis, Indiana 46206-6015

IDENTIFICATION OF POTENTIALLY AFFECTED PERSONS

Please list here any and all persons whom you have reason to believe have a substantial or proprietary interest in this matter, or could otherwise be considered to be potentially affected under the law. Failure to notify the person, who is later determined to be potentially affected, could result in voiding our decision on procedural grounds. To ensure conformance with the Administrative Adjudication Act (AAA) and to avoid reversal of a decision, please list all such parties. The letter on the opposite side of this form will further explain the requirements under the AAA. Attach additional names and address on a separate sheet of paper, as needed. Please indicate below the type of Agency action you are requesting.

NAME Prosperity Mine, LLC
STREET 1183 E Canvasback Drive
CITY, STATE, ZIP Terre Haute, IN 47802

NAME Leslie Spahn
STREET 6363 East State Road 56
CITY, STATE, ZIP Windslow, IN 47598

Please complete this form by signing the following statements:

I certify that to the best of my knowledge I have listed all potentially affected parties as defined by IC 4-21.5.

Rick Pigg
SIGNATURE

Date: 2-13-2024

PRINTED NAME: Rick Pigg, Authorized Representative

FACILITY NAME: Prosperity Mine, LLC – Prosperity Mine, U-025
ADDRESS: Prosperity Mine, LLC
6594 West State Road 56, Petersburg, IN 47567

XXX NPDES PERMIT – 327 IAC 5
___ LAND APPLICATION PERMIT – 327 IAC 6
___ PRETREATMENT PERMIT – 327 IAC 5
___ CONFINED FEEDING APPROVAL – IC 13-1-5.7
___ SEWER BAN WAIVER REQUEST – 327 IAC 4
___ OPERATOR CERTIFICATION – 327 IAC 4
___ CONSTRUCTION PERMIT – 327 IAC 3

RETURN TO:
INDIANA DEPT. OF ENVIRONMENTAL MANAGEMENT
OFFICE OF WATER MANAGEMENT
100 NORTH SENATE AVENUE
P.O. BOX 6015
INDIANAPOLIS, INDIANA 46206-6015

**PROOF OF FILING OF PERMIT APPLICATION WITH
PIKE COUNTY PUBLIC LIBRARY**

312 IAC 25-4-109

Applicant's Name: Prosperity Mine, LLC
Prosperity Mine

Permit Number: NPDES General Permit No. ING 040166

I, Tamara C McKinney
(typed or printed name of librarian or legal representative)

Hereby affirm that on this 15th day of Feb, 2024, a copy of the above permit application was filed with the Pike County Public Library, located at 1104 E Main St, Petersburg IN. In addition, the filing fee of \$50.00 was paid.

Signed: Tamara C McKinney

Title: Circulation Coord.