



**Hillsboro Energy, LLC**  
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Hillsboro, IL 62049  
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November 9, 2023

*Sent via ePermit system  
ccross@foresight.com*

Department of Natural Resources  
Office of Mines and Minerals  
1 Natural Resources Way  
Springfield, IL 62702

Re: Permit No. 399, IBR19  
DEER RUN Mine  
Supplemental Information Round 1

Dear:

The purpose of this letter is to respond and address the additional information necessary on 399, IBR19:

**1.6.2:** In response to Question 1.6.2 did not complete all the information required. Pursuant to 62 Ill. Adm. Code 1778.15(a), the applicant shall update Table 1.6.2 with the date of the agreement giving the right of entry on the property indicated as not owned by the applicant.

**Response:** The response has been revised to include the date of the agreement.

**1.6.4:** In response to Question 1.6.4, the applicant shall revise the response to correspond with the information provided in Table 1.6.2. Pursuant to 62 Ill. Adm. Code 1778.15, if the applicant does not possess ownership of the property, the applicant shall complete Table 1.6.4 and provide either a document granting rights to enter or a proper landowner waiver from the property owner.

**Response:** No revision is necessary since the applicant possesses the right to the property via an executed agreement.

**1.8:** In response to Form 1.8, the Public notice shall be updated to include information on the two access roads depicted in Map 3 Surface Operations Map to comply with 62 Ill. Adm. Code 1773.13(E).

**Response:** The public notice has been revised to include information on the two access roads.

**2.1.1:** In Response to Question 2.1.1 of the application, the applicant did not label soil capability on the pre and post-mining land use map. Pursuant to 62 Ill. Adm. Code 1783.21(a), the applicant shall update the pre and post-mining land use map to contain soil capability.

**Response:** The map has been revised to include soil capability information identifiers.

**2.2.7:** a. In response to Question 2.2.7 of the application, the applicant has listed the productivity index of soil map unit 882B as 110, however, the productivity index should be listed as 108.9. Pursuant to 62 Ill. Adm. Code 1783.21(a), this information shall be updated.

b. In Response to Question 2.2.7 of the application, the applicant has listed soil map unit 882B as high capability in Table 2.2.7, however, it should be listed as prime farmland. Pursuant to 62 Ill. Adm. Code 1783.21(a) and 1785.17, the applicant shall update this information and fill in any prime farmland information that may be required, including but not limited to, updating Part 8 of the application and all pre and post-mining land use tables and maps.

**Response:** The responses has been corrected for productivity index and identifying soil unit 882B as prime farmland. Other sections have been updated accordingly for the prime farmland designation.

**2.3.6:** In response to Question 2.3.5, the applicant uploaded Table 2.3.5 for the Public Road distance information and indicated a right-of-way distance of less than 100 feet measured horizontally of the outside right-of-way line of Buckeye Trail and N. 7th Avenue. Then, in response to Question 2.3.6, indicated a response of “No” to the question on Public Roads. Pursuant to 62 Ill. Adm. Code 1761.11(d)(1), the applicant shall respond appropriately to Question 2.3.6 and include a description in Question 2.3.7.2 of the activities to be conducted within the areas where mining is prohibited or limited for the Department to make the determination that the activities are exempt.

**Response:** The response has been revised to indicate the only proposed activities within 100-feet of the road right-of-ways will be the access roads.

**2.3.7.2:** In response to Question 2.3.5, the applicant uploaded Table 2.3.5 for the Public Road distance information and indicated a right-of-way distance of less than 100 feet measured horizontally of the outside right-of-way line of Buckeye Trail and N. 7th Avenue. Then, in response to Question 2.3.6, indicated a response of “No” to the question on Public Roads. Pursuant to 62 Ill. Adm. Code 1761.11(d)(1), the applicant shall respond appropriately to Question 2.3.6 and include a description in Question 2.3.7.2 of the activities to be conducted within the areas where mining is prohibited or limited for the Department to make the determination that the activities are exempt.

**Response:** The response has been revised to indicate the only proposed activities within 100-feet of the road right-of-ways will be the access roads.

**2.4.1:** In response to Question 2.4.1, the applicant has not provided a response for the information regarding the proposed area. Pursuant to 62 Ill. Adm. Code 1783.12, an application shall contain information regarding cultural, archeological, and historic resources, and known archeological sites within the proposed permit, shadow, and adjacent areas. The applicant shall provide proper documentation indicating no such sites exist or a State Historical Preservation Agency concurrence of no known areas within the proposed location.

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**Response:** A Phase I archaeological survey was completed and the survey results have been attached to the application.

**5.4:** In response to Form 5.4, the applicant indicated no culverts were proposed, Pursuant to 62 Ill. Adm. Code 1761.14(b)(5), the applicant shall provide an explanation of why culverts are unnecessary at the intersection where the Access Road joins the Public Road and associated ditch.

**Response:** The response has been revised to include culverts and applicable design information for subsequent application questions.

**9.8.2:** In response to Question 9.8.2, the applicant shall clarify what material will be used to backfill the shaft and provide a diagram showing details of the reclamation plan for the shaft (including but not limited to, the type of material for shaft backfill and the intervals in which they will be used) as detailed in Operator Memorandum 00-01 and pursuant to 62 Ill. Adm. Code 1817.15.

**Response:** The response has been revised to provide additional detail regarding the backfilling of the shaft.

Additionally, the finished diameter of the proposed shaft was revised from 14-feet to 16-feet. Applicable sections and references within the permit application have been revised to indicate the shaft diameter.

Sincerely,

Clayton Cross  
Authorized Person