



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

217-782-9861

July 25, 2022

CERTIFIED MAIL # 7011 1150 0001 0858 6815

RETURN RECEIPT REQUESTED

Williamson Energy, LLC
P.O. Box 99
Johnson City, IL 62951

Re: Notice of Non-Issuance of Compliance Commitment Agreement
Violation Notice: W-2022-50038
Williamson Energy, LLC – Pond Creek Mine #1 – IL0077666 – W1998590001

Dear Facility Owner:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed the proposed Compliance Commitment Agreement ("CCA") terms submitted by **Williamson Energy, LLC – Pond Creek Mine #1 – IL0077666** in letters dated **May 10, 2022 and June 20, 2022**, in response to the Violation Notice dated **April 4, 2022**, and has decided not to issue a proposed CCA for these violations. Due to the nature and seriousness of the violations, the Illinois EPA has determined that these violations may not be able to be resolved without the involvement of the Office of the Attorney General or the State's Attorney.

Because the violations remain the subject of disagreement between the Illinois EPA and **Williamson Energy, LLC – IL0077666**, this matter will be considered for referral to the above-referenced prosecutorial authorities for formal enforcement action and the imposition of penalties.

Questions regarding this matter should be directed to Caleb Ruyle at 217/782-9861. Written communications should be directed to:

Illinois EPA – Division of Water Pollution Control
Attn: Caleb Ruyle/CAS #19
P.O. Box 19276
Springfield, IL 62794-9276

Sincerely,

Cathy Siders, Manager
Compliance Assurance Section
Bureau of Water, Division of Water Pollution Control

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760



Williamson Energy, LLC
11525 N. Thompsonville Rd.
Macedonia, IL 62860

June 20, 2022

Mr. Caleb Ruyle
Division of Water Pollution Control
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
P.O. Box 19276
Springfield, IL 62794-9276

Re: Williamson Energy, LLC
Violation Notice No. W-2022-50038

Dear Mr. Ruyle:

Please find the following information in response to Violation Notice (VN) W-2022-50038, which was discussed with Williamson Energy, LLC (Williamson) in a WebEx Conference Call on June 2, 2022.

The VN alleges multiple violations related to the notification from Williamson to IEPA on January 7, 2022, and subsequent IEPA inspection on January 8, 2022, regarding a discharge of mine water due to a blockage in the eastern collection ditch of RDA3 at Pond Creek Mine #1.

During the idle construction time in this vicinity of East Refuse, the perimeter sediment ditches were cleaned, and the excavated sediment was placed in the current lower terrace area of the facility, downstream of the main embankment. As coarse refuse was advanced, it was pushed into the pond cleaning material, of which the equipment operators were not aware that it was left in this area. Consequently, the material began to liquefy. This created conditions which allowed the material to drain toward the sediment perimeter ditch, and began to fill the ditch.

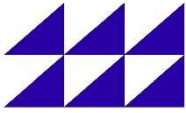
Refuse removal from the perimeter ditch was completed on January 26, 2022. During this time, the perimeter ditch was restored to its designed capacity. Williamson has implemented a plan of action to keep the perimeter ditch cleaned, as well as to properly dry and move material into holding cells in effort to prevent an event like this from reoccurring. Williamson also performed two rounds of soil testing, January 12, 2022 and April 8, 2022, both proving the discharge had minimal effects on the surrounding area and will not require any soil remediation.

Williamson developed an action plan on January 17, 2022 to keep the perimeter ditch cleaned and material disposed of properly. Since the plan was developed, Williamson has carried out the plan in cleaning the perimeter ditch on the east side of RDA 3 as the refuse placement has progressed north.

If you have any questions, concerns or if you wish to discuss this matter further, please do not hesitate to contact me.

Respectfully,

Authorized Person



Williamson Energy, LLC
11525 N. Thompsonville Rd.
Macedonia, IL 62860

May 10, 2022

Mr. Caleb Ruyle
Division of Water Pollution Control
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
P.O. Box 19276
Springfield, IL 62794-9276

Re: Williamson Energy, LLC
Violation Notice No. W-2022-50038

Dear Mr. Ruyle:

Please find the following information in response to Violation Notice (VN) W-2022-50038, which was issued to Williamson Energy, LLC (Williamson) on a letter dated April 4, 2022. Williamson would like to request a meeting with representatives of the Illinois Environmental Protection Agency (IEPA) if the issues detailed herein cannot be resolved from this written response.

The VN alleges multiple violations related to the notification from Williamson to IEPA on January 7, 2022, and subsequent IEPA inspection on January 8, 2022, regarding a discharge of mine water due to a blockage in the eastern collection ditch of RDA3 at Pond Creek Mine #1.

During the idle construction time in this vicinity of East Refuse, the perimeter sediment ditches were cleaned, and the excavated sediment was placed in the current lower terrace area of the facility, downstream of the main embankment. As coarse refuse was advanced, it was pushed into the pond cleaning material, of which the equipment operators were not aware that it was left in this area. Consequently, the material began to liquefy. This created conditions which allowed the material to drain toward the sediment perimeter ditch, and began to fill the ditch.

On January 7, 2022, as result of snow melt and heavy rain, refuse had sloughed into the perimeter sediment ditch to the extent that the ditch was filled. Additionally, a small amount of refuse had sloughed beyond the downstream berm of the ditch. This caused the incoming runoff into the ditch to inadvertently discharge over the berm of the ditch. Williamson mobilized pumps to the area the night of January 7, 2022 to divert water around the blockage area. Water had ceased discharging off permit the morning of January 8, 2022, within 24 hours of discovery.

Refuse removal from the perimeter ditch was completed on January 26, 2022. During this time, the perimeter ditch was restored to its designed capacity. Williamson has implemented a plan of action to keep the perimeter ditch cleaned, as well as to properly dry and move material into holding cells in effort to prevent an event like this from reoccurring. Williamson also performed two rounds of soil testing, January 12, 2022 and April 8, 2022, both proving the discharge had minimal effects on the surrounding area and will not require any soil remediation.

The following are in direct response to the violations as per Attachment A:

Unpermitted/Unauthorized Point Source Discharge

Williamson mobilized pumps to divert water around the blockage in the perimeter ditch the night of the event and had ceased the inadvertent discharge of water the morning of January 8, 2022. The perimeter ditch was cleaned and has been restored to the designed capacity.

Failure to Comply with NPDES Permit

Williamson will comply with the NPDES permit and the requirements concerning the monitoring, sampling, recording and reporting procedures for any future noncompliance discharge.

Discharge of Contaminants

Williamson has ceased any and all discharge of contaminants and has restored the perimeter ditch, preventing unauthorized discharges off permit.

Deposit of Contaminants

Williamson has ceased any and all discharge of contaminants and has restored the perimeter ditch, preventing unauthorized discharges off permit.

Offensive Conditions

Williamson has ceased any and all discharge of contaminants and has restored the perimeter ditch, preventing unauthorized discharges off permit. The absence of mine water in the unnamed tributary to Pond Creek complies with the regulation.

Water Quality Violations

Williamson has ceased any and all discharge of contaminants and has restored the perimeter ditch, preventing unauthorized discharges off permit. The absence of mine water in the unnamed tributary to Pond Creek complies with the regulation.

Failure to Comply with Good Mining Practices

Williamson has ceased any and all discharge of contaminants and has restored the perimeter ditch, preventing unauthorized discharges off permit. The absence of mine water in the unnamed tributary to Pond Creek complies with the regulation. Williamson will comply with the NPDES permit and the requirements concerning the monitoring, sampling, recording and reporting procedures for any future noncompliance discharge.

If you have any questions, concerns or if you wish to discuss this matter further, please do not hesitate to contact me.

Respectfully,

A handwritten signature in blue ink, appearing to read "James Miller". The signature is fluid and cursive, with a large initial "J" and "M".

Authorized Person