

Williamson Energy, LLC

PO Box 99

Johnston City, IL 62951

Office: 618-983-3020 Fax: 618-983-3017

October 31, 2022

Mrs. Cathy Siders
Illinois Environmental Protection Agency
Division of Water Pollution Control
Post Office Box 19276
Springfield, IL 62794-9276

Re: Williamson Energy LLC NPDES Permit No. IL0077666

As you know, Williamson Energy LLC (“Williamson”) has engaged Illinois Environmental Protection Agency (“IEPA”) in discussions involving the handling of water with elevated chloride concentrations under the above-referenced permit since August 2015. Discussions beginning in August 2015 have involved transporting the elevated chloride water through a pipeline for discharge into a mixing zone. In 2016, Williamson submitted an anti-degradation analysis along with its permit renewal application, both of which contemplate a long-term compliance strategy of a mixing zone along the Big Muddy River.

In October 2019, IEPA published a draft permit renewal document for the above-referenced permit. The draft renewal document includes Outfall 011, which contemplates a mixing zone along the Big Muddy River for discharge of Williamson’s water. In December 2019, IEPA held a public hearing on the renewal. Between December 2019 and April 2022, IEPA was engaged in preparing a responsiveness summary and other final work on the permit.

While IEPA’s work progressed, Williamson has taken all known feasible actions to prevent discharges of chloride water, including constructing large water-holding cells, disposal underground where permissible, and retention and recirculation through the mine processes, including storage in the Refuse Disposal Areas (“RDAs”), where available. There are no feasible alternative treatment facilities available, and, given the long period of time in which Williamson has been forced to retain water without issuance of the permit renewal, Williamson no longer has the ability to completely retain all elevated chloride water.

On April 15, 2022, IEPA reissued Williamson’s NPDES Permit with an Effective Date of May 1, 2022. The Reissued Permit includes Outfall 011 which allows compliant discharge of elevated chloride concentration into a stream sufficient in volume to receive the discharge according to Special Condition No. 15 of the Permit. Outfall 011 is a remote discharge located at the Big Muddy River more than 12 miles from the mining facility. Remote discharge requires extensive construction of a water management pipeline with appropriate monitoring and safeguard instrumentation. Until a reasonable timeline for construction and installation of the water management

pipeline is achieved, Williamson remains without feasible alternatives to totally prevent discharges of water with chloride levels in excess of the water quality standard.

Williamson's key limiting factor in its ability to hold water is the amount of freeboard required in its RDAs. Other agencies regulate the safety of the RDAs, and they require that Williamson maintain a minimum amount of freeboard space in the RDAs. While Williamson's RDAs are regularly tested and confirmed to be safe, allowing water to build inside the RDAs above the freeboard limit can lead to imminent danger to life, safety, and property.

Accordingly, under 40 C.F.R. § 122.41(m)(4)(i)(A)-(B) and the standard conditions in the above-referenced permit, this letter is to notify you that Williamson expects to incur an unavoidable bypass of its outfall structure at Pond 006 on the above-referenced permit because it can no longer retain water in its RDA and meet the freeboard safety requirements. The bypass noted herein is unavoidable to ensure the continued safe operation of Williamson's RDAs. There are no feasible alternatives to the bypass, such as the use of alternative treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime.

Williamson has made its best efforts to estimate dates on which it must bypass. These estimates are driven by certain assumptions. As such the company may need to adjust dates to ensure the continued safe operation of its RDAs. Having said that, Williamson will diligently work to minimize and/or delay the need for bypass to the extent possible. Any deviation from the schedule that would result in more bypass than projected will be communicated to the agency within 24 hours of the event. The company anticipates that bypass will occur on the following dates:

11/7/2022	11/8/2022
11/9/2022	11/10/2022
11/11/2022	11/12/2022
11/13/2022	11/14/2022
11/15/2022	11/16/2022
11/17/2022	11/18/2022
11/19/2022	11/20/2022
11/21/2022	11/22/2022

¹ (A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

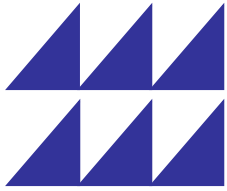
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Williamson will collect in-stream samples above and below Outfall 006 on each day that a bypass occurs and make the data available to you upon request. Please let us know if you have any questions or require any more information.

Sincerely,

A handwritten signature in blue ink that reads "James Mills". The signature is written in a cursive style with a large initial "J" and "M".

Authorized Person



Williamson Energy, LLC

PO Box 99

Johnston City, IL 62951

Office: 618-983-3020 Fax: 618-983-3017

September 2, 2022

Mrs. Cathy Siders
Illinois Environmental Protection Agency
Division of Water Pollution Control
Post Office Box 19276
Springfield, IL 62794-9276

Re: Williamson Energy LLC NPDES Permit No. IL0077666

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9/12/2022	9/13/2022
9/14/2022	9/15/2022
9/16/2022	9/17/2022
9/18/2022	9/19/2022
9/20/2022	9/21/2022
9/22/2022	9/23/2022
9/24/2022	9/25/2022
9/26/2022	9/27/2022
9/28/2022	9/29/2022
9/30/2022	10/1/2022

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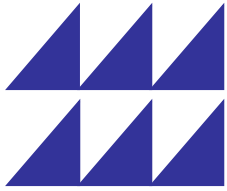
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Authorized Person



Williamson Energy, LLC

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Office: 618-983-3020 Fax: 618-983-3017

July 1, 2022

Mrs. Cathy Siders
Illinois Environmental Protection Agency
Division of Water Pollution Control
Post Office Box 19276
Springfield, IL 62794-9276

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7/11/2022	7/12/2022
7/13/2022	7/14/2022
7/15/2022	7/16/2022
7/17/2022	7/18/2022
7/19/2022	7/20/2022
7/21/2022	7/22/2022
7/23/2022	7/24/2022
7/25/2022	7/26/2022
7/27/2022	7/28/2022
7/29/2022	7/30/2022

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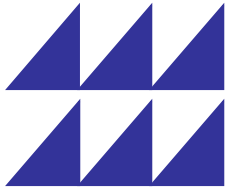
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Authorized Person



Williamson Energy, LLC

PO Box 99

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Office: 618-983-3020 Fax: 618-983-3017

May 10, 2022

Mrs. Cathy Siders
Illinois Environmental Protection Agency
Division of Water Pollution Control
Post Office Box 19276
Springfield, IL 62794-9276

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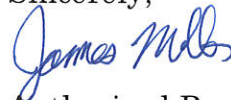
5/17/2022	5/18/2022
5/19/2022	5/20/2022
5/21/2022	5/22/2022
5/23/2022	5/24/2022
5/25/2022	5/26/2022
5/27/2022	5/28/2022
5/29/2022	5/30/2022
5/31/2022	6/1/2022
6/2/2022	6/3/2022
6/4/2022	6/5/2022

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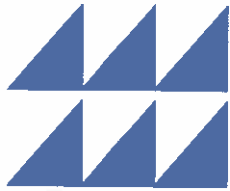
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Authorized Person



Williamson Energy, LLC

PO Box 99

Johnston City, IL 62951

Office: 618-983-3020 Fax: 618-983-3017

March 14, 2022

Mrs. Cathy Siders
Illinois Environmental Protection Agency
Division of Water Pollution Control
Post Office Box 19276
Springfield, IL 62794-9276

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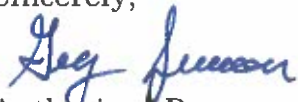
3/21/2022	3/22/2022
3/23/2022	3/24/2022
3/25/2022	3/26/2022
3/27/2022	3/28/2022
3/29/2022	3/30/2022
3/31/2022	4/1/2022
4/2/2022	4/3/2022
4/4/2022	4/5/2022
4/6/2022	4/7/2022
4/8/2022	4/9/2022

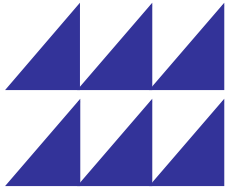
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Authorized Person



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Office: 618-983-3020 Fax: 618-983-3017

January 24, 2022

Mrs. Cathy Siders
Illinois Environmental Protection Agency
Division of Water Pollution Control
Post Office Box 19276
Springfield, IL 62794-9276

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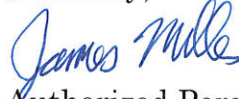
1/31/2022	2/01/2022
2/02/2022	2/03/2022
2/04/2022	2/05/2022
2/06/2022	2/07/2022
2/08/2022	2/09/2022
2/10/2022	2/11/2022
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December 02, 2021

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Revised Discharge Dates to add 12/09/2021

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In October 2019, IEPA published a draft permit renewal document for the above-referenced permit. The draft renewal document includes Outfall 011, which contemplates a mixing zone along the Big Muddy River for discharge of Williamson's water. In December 2019, IEPA held a public hearing on the renewal. Since December 2019, IEPA has been engaged in preparing a responsiveness summary and other final work on the permit.

While IEPA's work has progressed, Williamson Energy has taken all known feasible actions to prevent discharges of chloride water, including constructing large water-holding cells, disposal underground where permissible, and retention and recirculation through the mine processes, including storage in the Refuse Disposal Areas ("RDAs"), where available.

Now, however, Williamson is without feasible alternatives to totally prevent discharges of water with chloride levels in excess of the water quality standard. There are no feasible alternative treatment facilities available, and, given the long period of time in which Williamson has been forced to retain water without issuance of the permit renewal, Williamson no longer has the ability to completely retain all elevated chloride water.

Williamson's key limiting factor in its ability to hold water is the amount of freeboard required in its RDAs. Other agencies regulate the safety of the RDAs,

and they require that Williamson maintain a minimum amount of freeboard space in the RDAs. While Williamson's RDAs are regularly tested and confirmed to be safe, allowing water to build inside the RDAs above the freeboard limit can lead to imminent danger to life, safety, and property.

Accordingly, under 40 C.F.R. § 122.41(m)(4)(i)(A)-(B) and the standard conditions in the above-referenced permit, this letter is to notify you that Williamson expects to incur an unavoidable bypass of its outfall structure at Pond 006 on the above-referenced permit because it can no longer retain water in its RDA and meet the freeboard safety requirements. The bypass noted herein is unavoidable to ensure the continued safe operation of Williamson's RDAs. There are no feasible alternatives to the bypass, such as the use of alternative treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime.

Williamson has made its best efforts to estimate dates on which it must bypass. These estimates are driven by certain assumptions. As such the company may need to adjust dates to ensure the continued safe operation of its RDAs. Having said that, Williamson will diligently work to minimize and/or delay the need for bypass to the extent possible. Any deviation from the schedule that would result in more bypass than projected will be communicated to the agency within 24 hours of the event. The company anticipates that bypass will occur on the following dates:

12/06/2021	12/07/2021
12/08/2021	12/09/2021
12/10/2021	12/11/2021
12/12/2021	12/13/2021
12/14/2021	12/15/2021
12/16/2021	12/17/2021
12/18/2021	12/19/2021
12/20/2021	12/21/2021
12/22/2021	

¹ (A) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(B) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance.

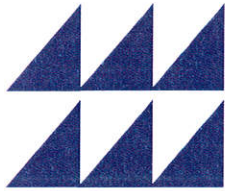
Williamson will collect in-stream samples above and below Outfall 006 on each day that a bypass occurs and make the data available to you upon request. Please let us know if you have any questions or require any more information.

Sincerely,



Chris D. Johnson

Authorized Person



Williamson Energy, LLC

PO Box 99

Johnston City, IL 62951

Office: 618-983-3020 Fax: 618-983-3017

September 21, 2021

Mrs. Cathy Siders
Illinois Environmental Protection Agency
Division of Water Pollution Control
Post Office Box 19276
Springfield, IL 62794-9276

Re: Williamson Energy LLC NPDES Permit No. IL0077666

As you know, Williamson Energy LLC ("Williamson") has engaged Illinois Environmental Protection Agency ("IEPA") in discussions involving the handling of water with elevated chloride concentrations under the above-referenced permit since August 2015. Discussions beginning in August 2015 have involved transporting the elevated chloride water through a pipeline for discharge into a mixing zone. In 2016, Williamson submitted an anti-degradation analysis along with its permit renewal application, both of which contemplate a long-term compliance strategy of a mixing zone along the Big Muddy River.

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9/27/2021	9/28/2021
9/29/2021	9/30/2021
10/01/2021	10/02/2021
10/03/2021	10/04/2021
10/05/2021	10/06/2021
10/07/2021	10/08/2021
10/09/2021	10/10/2021
10/11/2021	10/12/2021
10/13/2021	10/14/2021
10/15/2021	10/16/2021

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Williamson will collect in-stream samples above and below Outfall 006 on each day that a bypass occurs and make the data available to you upon request. Please let us know if you have any questions or require any more information.

Sincerely,



Chad Hudson

Authorized Person



Williamson Energy, LLC

PO Box 99

Johnston City, IL 62951

Office: 618-983-3020 Fax: 618-983-3017

July 21, 2021

Mrs. Cathy Siders
Illinois Environmental Protection Agency
Division of Water Pollution Control
Post Office Box 19276
Springfield, IL 62794-9276

Re: Williamson Energy LLC NPDES Permit No. IL0077666

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7/26/2021	7/27/2021
7/28/2021	7/29/2021
7/30/2021	7/31/2021
8/1/2021	8/2/2021
8/3/2021	8/4/2021
8/5/2021	8/6/2021
8/7/2021	8/8/2021
8/9/2021	8/10/2021
8/11/2021	8/12/2021
8/13/2021	8/14/2021

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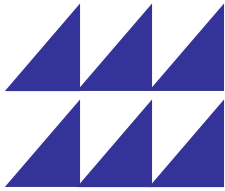
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Sincerely,



A handwritten signature in blue ink, appearing to read "C. Dew Hudson". The signature is fluid and cursive, with the first name "C." being small and the last name "Hudson" being larger and more prominent.

Authorized Person



Williamson Energy, LLC

PO Box 99

Johnston City, IL 62951

Office: 618-983-3020 Fax: 618-983-3017

May 27, 2021

Mrs. Cathy Sider
Illinois Environmental Protection Agency
Division of Water Pollution Control
Post Office Box 19276
Springfield, IL 62794-9276

Re: Williamson Energy LLC NPDES Permit No. IL0077666

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6/1/2021	6/2/2021
6/3/2021	6/4/2021
6/5/2021	6/6/2021
6/7/2021	6/8/2021
6/9/2021	6/10/2021
6/11/2021	6/12/2021
6/13/2021	6/14/2021
6/15/2021	6/16/2021
6/17/2021	6/18/2021
6/19/2021	6/20/2021

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Sincerely,

A handwritten signature in blue ink that reads "James Plimly". The signature is fluid and cursive, with the first name "James" and last name "Plimly" clearly distinguishable.

Authorized Person