UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONAL ADMINISTRATOR
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAR 0 5 2018

Colonel Antoinette R. Gant
District Engineer
U.S. Army Corps of Engineers
Louisville District
P.O. Box 59
Louisville, Kentucky 40201-0059

SUBJECT: Modification to Pending Permit Application No. LRL-2013-635-gjd — Seven Hills Mine

Dear Colonel Gant:

As the newly appointed Regional Administrator for Region 5 of the U.S. Environmental Protection Agency (EPA or Agency), I am writing to you regarding the proposed Seven Hills surface coal mine. A subsidiary of Peabody Energy had previously applied for a Clean Water Act section 404 permit from the U.S. Army Corps of Engineers for the proposed mine to be located in Warrick County, Indiana. I understand the site is already approved under the Surface Mining Control and Reclamation Act. During the last several years, EPA Region 5 has appreciated the opportunity to work with the Louisville District, along with the U.S. Fish and Wildlife Service, to evaluate the potential environmental impacts of this proposed project. In 2016, EPA Region 5 advised the Louisville District about potential impacts to aquatic resources posed by the project as then planned, especially to aquatic resources, and that further coordination between EPA Headquarters and the Department of the Army was warranted.

It is my understanding that over the past year the project sponsor has met with EPA, the Army Corps, and the Fish and Wildlife Service on numerous occasions to discuss the project and late last year submitted a revised project plan to the Army Corps. Based on a preliminary review by EPA staff, it appears the revised plan incorporates a number of changes to reduce the direct impacts on wetlands that were previously discussed.

I appreciate the roles our respective agencies play in ensuring that environmental impacts from projects such as this are properly evaluated consistent with our authorities under the Clean Water Act, and I look forward to continuing our work together in the future. At this time, I do not plan to seek further EPA Headquarters and Department of the Army coordination on the proposed project As the Army Corps continues its review of the potential environmental impacts of the revised project plan, EPA Region 5 would happy to provide any assistance that the Army Corps may request as it makes any necessary determinations

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under Clean Water Act section 404 or the National Environmental Policy Act. Please feel free to contact me with any questions you may have regarding this permit.

Sincerely,

Cathy Stepp
Regional Administrator