



**STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
DIVISION OF WATER POLLUTION CONTROL  
MINING SECTION  
3711 MIDDLEBROOK PIKE  
KNOXVILLE, TENNESSEE 37921-6538  
PHONE (865) 594-6035 FAX (865) 594-6105**

**COMBINED NOTICE**

**Notice of Proposed Issuance of NPDES Permit  
Notice of Public Hearing**

**Public Notice M2011-13**

**August 11, 2011**

**Last Day to Submit Written Comments: September 30, 2011**

The Division of Water Pollution Control, Mining Section, is requesting public comment on the proposed issuance of an NPDES permit. Notice is also given that the Division will hold the following public hearing at the request of the applicant pursuant to *Rule 1200-4-5-.06* of the Tennessee Department of Environment and Conservation. The time, date, and place of the hearing follow:

**6:00 p.m. EDT  
September 19, 2011  
Tennessee Department of Environment and Conservation  
Knoxville Environmental Field Office  
3711 Middlebrook Pike  
Knoxville, Tennessee**

At the hearing, the Division will receive public comments concerning the reissuance of a National Pollutant Discharge Elimination System (NPDES) permit to the following applicant:

**Company Information**

Kopper Glo Mining, LLC  
Mr. James Thacker, Manager  
1197 Rock Creek Ridge Road  
Clairfield, TN 37715-0203

**Site Information**

Log Mountain Mine  
NPDES Permit TN0069361 (Draft)  
Log Mountain off Rich Gap Road  
Marion Community  
Claiborne County

This proposed contour surface and auger coal mine is located on the Eagan and Well Spring USGS Quadrangle Maps at latitude 36°30'16", longitude 83°53'59". The site will discharge to wet weather conveyances to Tackett Creek, Ben's Branch, White Oak Branch, Meadow Branch, and their unnamed tributaries. Tackett Creek is not designated as an exceptional water based on review of the most current listing of "The Known Exceptional Tennessee Waters".

The Tackett watershed has been extensively disturbed by pre-law mining and mining after implementation of the *Surface Mining and Reclamation Act (SMCRA)*. Tackett Creek and the affected tributaries are in the Clear Fork of the Cumberland River watershed, HUC 05130101-0602. Tackett Creek and its tributaries are not listed as impaired on the "EPA Approved Final Version 303(d) List" and are not part of the Clear Fork Total Maximum Daily Load (TMDL).

**How to Comment on Draft Permit:**

Obtaining a broad range of facts and opinions on Agency actions is one of the best ways to ensure quality decisions. Persons wishing to comment on the proposed permit action are invited to submit comments in writing to the Mining Section at the above letterhead address, Attn: Public Notice Coordinator, by fax (865) 594-6105, or by E-mail to [Gary.Mullins@tn.gov](mailto:Gary.Mullins@tn.gov).

**Public Hearing Procedure:**

The hearing officer may limit oral comments to five minutes and require that all testimony be relevant to water quality-related issues for this facility. Undue repetition should be avoided so that all interested parties will have an opportunity to present their concerns relative to water quality issues. A copy of the draft permit, rationale, and related supporting documents will be available for review. Written testimony will be accepted at the hearing and may be submitted no later than **September 30, 2011**.

In making our permit decision, we can consider only comments and questions concerning those areas over which we have authority under the federal NPDES program and the *Tennessee Water Quality Control Act*. Issues not related to water quality or to the conditions and requirements of the draft permit will not be considered in making our decision for this permit.

**How the Department Will Proceed:**

After consideration of all comments submitted during the public comment period, review of the hearing records, and the requirements of federal and state laws, the Director of the Division will make a determination regarding the final permit action.

**To Obtain Permit Details:**

Interested persons may obtain additional information and copy the application, draft permit, and supporting documentation from the permit file maintained at the Mining Section's office at the letterhead address. There is a nominal fee for copying. The file is available for public inspection during normal visiting hours by contacting [Tina.E.Jones@tn.gov](mailto:Tina.E.Jones@tn.gov) or call (865) 594-5616 to schedule an appointment for the review. A copy of the permit application and draft permit will be available for review at the hearing.

**State of Tennessee Policy of Non-Discrimination**

Pursuant to the State of Tennessee's policy of non-discrimination, the Tennessee Department of Environment and Conservation does not discriminate on the basis of race, sex, religion, color, national or ethnic origin, age, disability, or military service in its policies, or in the admission or access to, or treatment or employment in its programs, services or activities. Equal Employment Opportunity/Affirmative Action inquiries or complaints should be directed to the EEO/AA Coordinator, Office of General Counsel, 401 Church Street, 20<sup>th</sup> Floor, L & C Tower, Nashville, TN 37243, 1-888-867-7455.

Individuals with disabilities who wish to participate in these proceedings should contact the Department's ADA Coordinator, Human Resources Division, 401 Church Street, 12th Floor, L & C Tower, Nashville, TN 37243, **1-866-253-5827**. Such contact may be in person, by writing, telephone, or other means and should be made no later than **September 9, 2011**, to allow time to provide such aid or services. Hearing impaired callers may use the Tennessee Relay Service (**1-800-848-0298**).

Please bring this notice to the attention of persons who you know will be interested.