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STATE OF NEW MEXICO
WATER QUALITY CONTROL COMMISSION

In The Matter Of:

PROPOSED AMENDMENTS TO STANDARDS FOR INTERSTATE AND INTRASTATE SURFACE WATERS, 20.6.4. NMAC

WQCC 14-05 (R)

PEABODY ENERGY'S
NOTICE OF WITHDRAWAL OF POSITIONS

Peabody Energy (Peabody) hereby submits its Notice of Withdrawal of Positions on the proposed modification to Selenium Standard for Wildlife Habitat (Section 20.6.4.900.J) and the proposed changes to Standards Applicable to Certain Man-Made Ponds (20.6.4.900) which were set out in Peabody's Proposed Revisions to 20.6.4 NMAC filed with the Water Quality Control Commission (Commission) on September 30, 2014. Peabody further notifies the Commission that it will not present any technical testimony or rebuttal technical testimony as set out in its Notice of Intent to Present Technical Testimony, filed December 12, 2014, and its Notice of Intent to Present Rebuttal Technical Testimony, filed February 13, 2015, at the public hearing on this matter scheduled to begin on October 13, 2015.

Respectfully submitted

MODRALL, SPERLING,
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By:_____
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of Peabody Energy's Notice of Withdrawal of Positions was served on the following persons by regular mail, or, where an e-mail address is specified, by e-mail, this 8th day of October, 2015:

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