



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • www.idem.IN.gov

Mike Braun
Governor

August 27, 2025

Clint Woods
Commissioner

VIA CERTIFIED MAIL#7002 0510 0002 5820 7434
Lynnae K. Wilson, Director, President
Southern Indiana Gas and Electric Company –
A.B. Brown Generating Station
211 N.W. Riverside Drive
Evansville, IN 47708

VIA CERTIFIED MAIL#7002 0510 0002 5820 7441
CT Corporation System, Registered Agent
334 North Senate Ave.
Indianapolis, IN 46204

Re: Notice of Violation and Proposed Agreed Order
Southern Indiana Gas and Electric Company –
A.B. Brown Generating Station
Plant ID No. 129-00010
Mount Vernon, Posey County
Case No. 2023-29630-A

Qualified offer of settlement: inadmissible pursuant to Rule 408 of the Ind. Rules of Evidence. IDEM asserts that any offer to compromise a claim or any acceptance of such offer does not bind or obligate the parties of this enforcement action in the absence of a final order of the agency.

Dear Lynnae K. Wilson:

This is to advise that the Indiana Department of Environmental Management ("IDEM") has conducted an investigation of Southern Indiana Gas and Electric Company – A.B. Brown Generating Station located at 8511 Welborn Road, Mount Vernon, Indiana. As a result of information obtained during that investigation, IDEM has made a preliminary determination that violations of environmental permit conditions exist. Pursuant to IC 13-30-3-3, enclosed please find a Notice of Violation that sets forth the alleged violations, and a proposed Agreed Order which constitutes a qualified offer of settlement.

You may request a settlement conference to discuss the allegations and the actions necessary to correct and resolve the violations, which may include injunctive relief and the establishment of a compliance schedule. Payment of a civil penalty will also be discussed. The civil penalty amount noted in the proposed Agreed Order contains a preliminary penalty figure for settlement discussion purposes only and is based on penalty calculations associated with the alleged violations set forth in the Notice of Violation. A portion of the civil penalty may be offset by performing an approved Supplemental Environmental Project (SEP). Typical SEPs have included pollution prevention, pollution control, and environmental restoration projects. A copy of IDEM's SEP policy may be obtained from this office or at IDEM's website at www.IN.gov/idem.

Visit on.IN.gov/survey or scan the QR code to provide feedback.

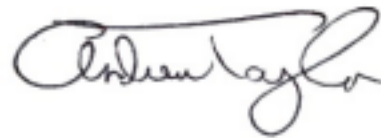
We appreciate your input!



The individual signing the enclosed Agreed Order should be the President of the company or other authorized signatory. The timely entry into an Agreed Order, which saves you and IDEM time and resources, may lead to a reduction in the civil penalty.

IDEM is not required to extend the offer of entry into an Agreed Order for more than sixty days. You may enter into an Agreed Order without admitting that the violations occurred. If an Agreed Order is not entered into, IDEM may proceed to issue a unilateral notice and order requiring compliance with the environmental permit conditions, including payment of a civil penalty. Please contact me at (317) 233-2711 or AKTaylor@idem.IN.gov if you have any questions or if you wish to request a settlement conference.

Sincerely,

A handwritten signature in black ink that reads "Andrew Taylor". The signature is written in a cursive style with a large, looping initial "A".

Andrew Taylor
Case Manager
Enforcement Section
Office of Air Quality

Enclosures:

cc: Angie Casbon-Scheller (Angela.Casbon-Scheller@centerpointenergy.com)
Andrew Taylor, Compliance and Enforcement Branch, OAQ
David Mulinaro, Compliance and Enforcement Branch, OAQ
Pat Austin, Compliance and Enforcement Branch, OAQ
<http://www.IN.gov/idem>



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-8027 • (317) 232-8803 • Fax (317) 233-8847 • www.idem.IN.gov

Mike Braun
Governor

Clint Woods
Commissioner

August 27, 2025

NOTICE OF VIOLATION

Via Certified Mail#7002 0510 0002 5820 7434 Via Certified Mail#7002 0510 0002 5820 7441

To: Southern Indiana Gas and Electric Company – A.B. Brown Generating Station
Attn: Lynnae K. Wilson, Director, President
211 N.W. Riverside Drive
Evansville, IN 47708

To: CT Corporation System
Registered Agent
334 North Senate Avenue
Indianapolis, IN 46204

Case No. 2023-29630-A

Pursuant to Indiana Code (“IC”) 13-30-3-3, the Indiana Department of Environmental Management (“IDEM”) issues this Notice of Violation. Based on an investigation including an inspection conducted by an IDEM representative, IDEM has reason to believe Southern Indiana Gas and Electric Company – A.B. Brown Generating Station (“Respondent”) violated environmental permit conditions. The violations are based on the following:

1. Respondent is Southern Indiana Gas and Electric Company – A.B. Brown Generating Station, which owns and operates the stationary electric utility generating station with Plant ID No. 129-00010, located at 8511 Welborn Road, in Mount Vernon, Posey County, Indiana (“Site”).
2. Pursuant to Part 70 Permit 129-44601-00010 (“Permit”), Conditions D.1.2(b)(2) and D.2.3(a)(2), when both Unit No. 1 and Unit No. 2 are in operation, both units shall not exceed the combined SO₂ emissions limitation of 1,831.6 pounds per hour (“lbs/hr”), twenty-four (24) hour rolling average.

On two occasions in January 2023, when both Unit No. 1 and Unit No. 2 were in operation, Respondent exceeded the combined SO₂ emissions limitation of 1,831.6 lbs/hr, twenty-four (24) hour rolling average, in violation of Permit Conditions D.1.2(b)(2) and D.2.3(a)(2).

3. Pursuant to Permit Condition D.2.2, SO₂ emissions from Boiler Unit No. 2 shall be controlled by a scrubber having a minimum control efficiency of 90.0%.

Visit on.IN.gov/survey or scan the QR code to provide feedback.

We appreciate your input!



- Respondent failed to maintain Boiler Unit No. 2 scrubber control efficiency at or above 90% on December 26, 2022, in violation of Permit Condition D.2.2.
4. Pursuant to Permit Condition E.3.2(5), and 40 CFR § 60.334(j), Respondent shall maintain the acceptable water to fuel ratio to control NOx emissions at Unit ABB No. 3.

On nine occasions in 2022, Respondent failed to maintain the acceptable water to fuel ratio to control NOx emissions at Unit ABB No. 3, in violation of Permit Condition E.3.2(5) and 40 CFR § 60.334(j).

Pursuant to IC 13-30-3-3, the Commissioner herein provides notice that the violations may exist and offers an opportunity to enter into an Agreed Order providing for the actions required to correct the violations and, as necessary and appropriate, for the payment of a civil penalty. The Commissioner is not required to extend this offer for more than sixty (60) days.

Pursuant to IC 13-30-3-3, an alleged violator may enter into an Agreed Order without admitting the violations occurred. IDEM encourages settlement by Agreed Order, thereby resulting in quicker correction of the environmental violations and avoidance of extensive litigation. Timely settlement by Agreed Order may result in a reduced civil penalty. Also, settlement discussions will allow Respondent the opportunity to present any mitigating factors that may be relevant to the violations.

If an Agreed Order is not entered into within sixty (60) days of receipt of this Notice of Violation, the Commissioner may issue a Notice and Order under IC 13-30-3-4 containing the actions that must be taken to correct the violations and requiring the payment of an appropriate civil penalty. Pursuant to IC 13-30-4-1, the Commissioner may assess penalties of up to \$25,000 per day for each violation.

Please contact Andrew Taylor at (317) 233-2711 or AKTaylor@idem.IN.gov within fifteen (15) days after receipt of this Notice to discuss resolution of this matter.

For the Commissioner:



Date: 8-27-25

Janusz Johnson, Chief
Compliance and Enforcement Branch
Office of Air Quality

cc: Angie Casbon-Scheller (Angela.Casbon-Scheller@centerpointenergy.com)
Posey County Health Department
Andrew Taylor, Compliance and Enforcement Branch, Office of Air Quality
David Mulinaro, Compliance and Enforcement Branch, Office of Air Quality
Pat Austin, Compliance and Enforcement Branch, Office of Air Quality
IDEM Public File

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

60-02-A/gjr NOV/PAO 2023-29630-A

CT CORPORATION SYSTEM
REGISTERED AGENT
334 N SENATE AVE
INDIANAPOLIS IN 46204



9590 9402 8243 3030 3285 30

2. Article Number (Transfer from service label)

7002 0510 0002 5820 7441

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No



3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery
 - Mail Restricted Delivery