

From: Mary Ann Wright
To: Gorton, III, William T.
Date: 9/10/03 5:02PM
Subject: Re: FW: Lodestar Filing--Motion for Sale--

Bill - Okay - NO WHINING!

Yes, we got the plan, we reviewed it. My response is this:

Overall, we were happy to have the items we agreed upon put into the narrative. Those items include: concave slopes developed at the site; pocking the full site; buried subgrade channel; seeding on the heels of pocking; & changing the seed mix. Thank you for incorporating those items into your thinking and your written plan.

We are, however, without channel design and a profile for Whisky Creek. This makes us pretty nervous. Most importantly the channel, below the pond at Whisky Creek, is critical. We have no way of knowing that a dangerous situation will not be created by the reclamation, particularly in this area. It is about a 350' stretch of channel at a 33% grade. We can live without seeing plans to sign the agreement, but we have to see a plan before it is implemented, so we can know it will not lead to disaster.

Second, and also on the channel, we would like to see it written into the plan that the diversion culvert for the original stream bed WILL NOT be obliterated or made dysfunctional until the entire channel is put in place to satisfaction.

Third, Steve Demczak will be our main inspector, but members of the team will also work with him to assist in overseeing the work. Communications will come thru Steve primarily. Our goals will be to ensure general health and safety issues within the bounds of reclamation, and to communicate with your contractor to avoid situations leading to offsite impacts.

Last thing: we are putting together binders for us and your contractor that will contain key documents, maps and plans and guidance in working through the channel restoration, concave slopes, proper pocking and seeding practices, etc. We will laminate items and keep them on site to help us communicate thru Steve. I hope this will be helpful. We are about ready to go. Thanks! Mary Ann

>>> "Gorton, III, William T." <wgorton@stites.com> 09/10/03 04:08PM >>>

I am wrassling the docs. I sent the revised Reclamation Plan and you did not mention it. As usual, it's "what have you done for me lately."

-----Original Message-----

From: Biddle, Nicole S.

Sent: Wednesday, September 10, 2003 4:47 PM

To: Gorton, III, William T.; Thompson, Elizabeth Lee; Allen, Stephen G.; Morecroft, Robin J.; Early, W. Blaine

Subject: FW: Lodestar Filing--Motion for Sale--

FYI-sent out to Laura Day for filing--

Nicole S. Biddle
Stites & Harbison PLLC
250 W. Main Street, Suite 2300
Lexington KY 40507
Direct Dial: (859) 226-2236
Direct Fax: (859) 425-7993

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-----Original Message-----

From: Biddle, Nicole S.

Sent: Wednesday, September 10, 2003 4:44 PM

To: 'admin@wwwatty.com'

Subject: Lodestar Filing--Motion for Sale--

We will do the service--please let me know when filed. Call me with any questions.

Thanks.

Nicole

Nicole S. Biddle
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CC: Dana Dean; Daron Haddock; Gregg Galecki; Jerriann Ernsten; Mark Mesch; Pam Grubaugh-Littig; Priscilla Burton; Randy Harden; Steve Alder; Steve Demczak; Susan White; Wayne Western