



**CONSOL ENERGY™**

Consolidation Coal Company  
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Sesser, IL 62884  
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*OK*

November 7, 2002

Ms. Pamela Grubaugh-Littig, Permit Supervisor  
Utah Coal Regulatory Program  
Division of Oil Gas & Mining  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801

*Incoming  
a/015/015  
FAX PFO  
Copy Pam*

Re: Notice of Violation No. N02-39-2-1  
Failure to Protect Vegetation and Topsoil  
4th East Portal, Consolidation Coal Company, Emery Deep Mine  
Permit C/015/015

Dear Ms. Grubaugh-Littig:

This letter and enclosed mitigation plan is submitted to comply with the required remedial action 2(b) of the referenced violation. The mitigation plan consists of two (2) parts; 1) restricting access 2) revegetation of the disturbance area.

If you have any questions concerning this mitigation plan, please contact me at this office.

Sincerely,

Timothy D. Kirschbaum  
Environmental Engineer  
(618)-625-6847

cc: S. McCourt, Emery Mine  
S. Demczak, DOGM-PFO

**RECEIVED**

NOV 18 2002

DIV. OF OIL, GAS & MINING

# MITIGATION PLAN

State of Utah's, Division of Oil, Gas & Mining wrote violation N02-39-2-1 on October 25, 2002. As part of the abatement the following mitigation plan is submitted to the Division of Oil Gas and Mining for approval.

The violation involved the failure to protect vegetation and topsoil in the undisturbed area of the 4th East Portal site of Consolidation Coal Company's, Emery Mine. Vehicles were found parked on the undisturbed area in which topsoil and vegetation had not been removed.

The mitigation plan consist of two (2) parts:

- Restricting Access
- Revegetation of Affected Areas

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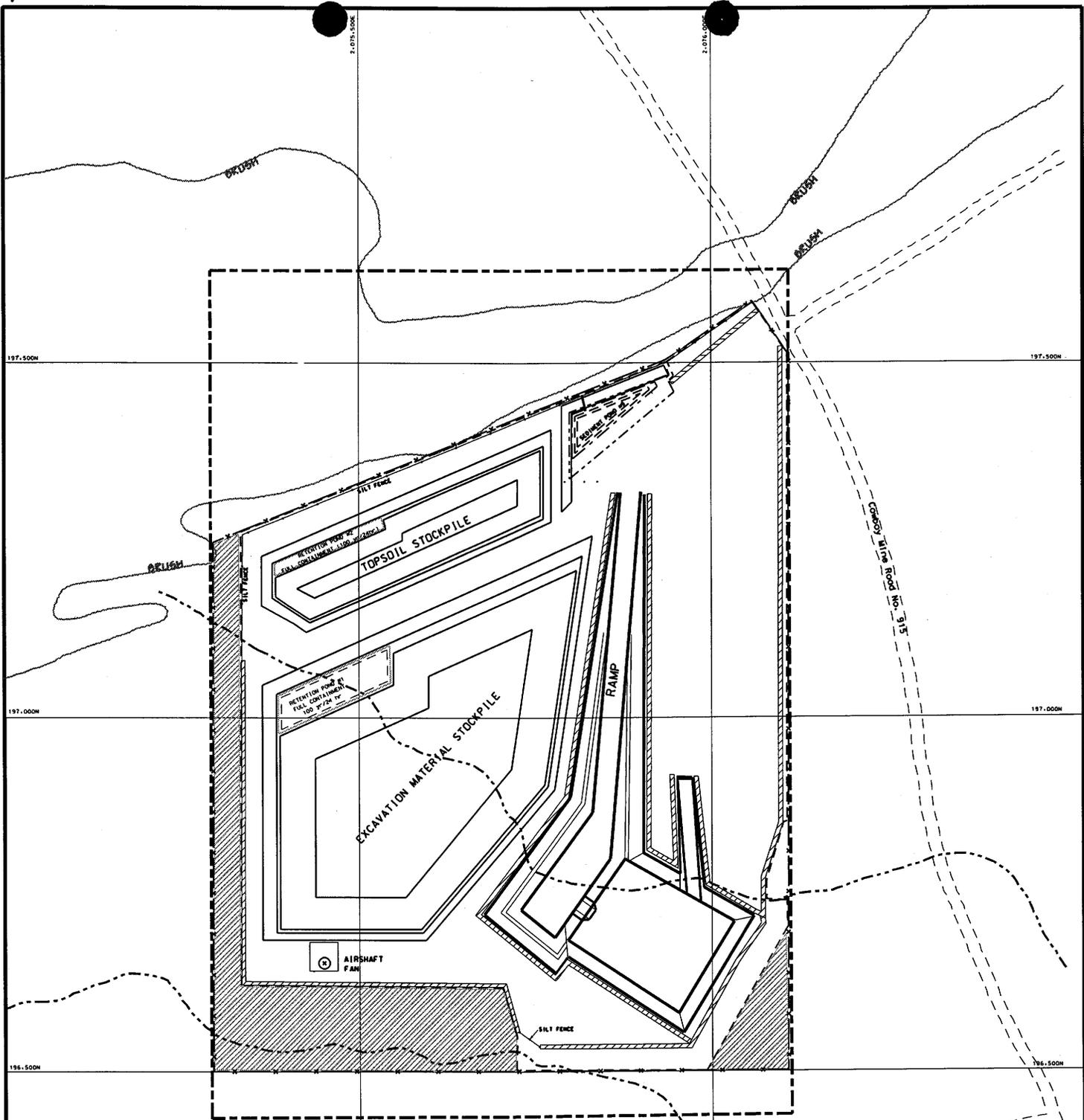
## RESTRICTING ACCESS

1. Signs shall be placed on top of the surrounding berms notifying individuals "TOPSOIL - Do Not Disturb".
2. Flagging shall be used between signs. Rope or wire will be strung between the signs and flagging used to alert individuals and restrict access to the site.

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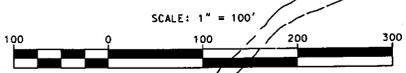
## REVEGETATION OF DISTURBED TOPSOIL

1. Wood fiber mulch (800 lbs per acre) will be applied to the disturbance within the undisturbed area. Refer to attached map.
2. Organic based tackfyier will be applied with the wood mulch at a rate of 60 lbs. per acre.
3. In Spring 2003, the disturbance areas will be evaluated with DOGM to ascertain seeding requirements at that time. Warm season seed mixes will be utilized for a summer seeding and shallow ripping (6-inches of depth with 30-inch spacing) will be performed unless directed differently by DOGM.



**LEGEND**

- SILT FENCE
- ROADWAY
- ▨ PROPOSED AREA FOR MITIGATION
- EPHERMAL STREAM CHANNELS
- ▨ BERMS
- PERMIT BOUNDARY



**CONSOLIDATION COAL COMPANY**  
 SESSER ENGINEERING  
 P.O. BOX 566. SESSER. IL 62884

**4 EAST PORTAL SITE  
 MITIGATION OF  
 DISTURBED AREAS  
 PLAN VIEW**

DATE	11-07-02
SCALE	AS NOTED
DRAWING NO.	FILE
MITIGATION PLAN	no-02-99.dgn
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SHEET 1 OF 1