



OGMCOAL DNR <ogmcoal@utah.gov>

Fwd: Emery Deep Mine Permit Renewal

Daron Haddock <daronhaddock@utah.gov>
To: OGMCOAL DNR <ogmcoal@utah.gov>

Tue, Sep 22, 2015 at 3:15 PM

----- Forwarded message -----

From: **Geffert, John** <jgefferth@cecinc.com>
Date: Tue, Sep 22, 2015 at 3:07 PM
Subject: RE: Emery Deep Mine Permit Renewal
To: "Daron Haddock (daronhaddock@utah.gov)" <daronhaddock@utah.gov>
Cc: "Goodballet, Kerry (Kampfer)" <KerryGoodballet@consolenergy.com>

Daron

Per your request, I have changed the public notice to reflect the new and improved sentence in your email.

I have attached the public notice in PDF format as well as inserted it into the renewal submittal.

Do you need me to resubmit to Suzanne Steab or OGMCOAL?

Lets be SAFE out there

John A. Gefferth / Principal

Civil & Environmental Consultants, Inc.

4848 Park 370 Blvd., Suite F · Hazelwood, MO 63042

Toll-Free: (866) 250-3679 · Direct: (314) 656-4578 · Fax: (314) 656-4595

Mobile: (314) 304-8328

<http://www.cecinc.com>

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Hi Kerry,

We will be sending you shortly a determination of administrative completeness on this renewal application, which

will allow you to proceed with the newspaper public notice. However, I identified a slight problem with your proposed public notice. The last paragraph states, "Written comments on this application should be submitted to the State of Utah, Division of Oil, gas & Mining at the above address."

The notice should be corrected to state, "Written comments, objections, or requests for an informal conference should be submitted to the State of Utah, Division of Oil, Gas & Mining at the above address. Such comments or requests should be filed within thirty (30) days from the date of the last publication of this notice."

Let me know if you have any question. Thanks. Daron

—

Daron R. Haddock

Coal Program Manager

Utah Division of Oil, Gas & Mining

[\(801\) 538-5325](tel:8015385325)

"This communication, including any attachments, may contain confidential and privileged information that is subject to the CONSOL Energy Inc.'s Business Information Protection Policy. The information is intended solely for the use of the intended recipient(s). If you are not an intended recipient, you are prohibited from any use, distribution, or copying of this communication. If you have received this communication in error, please immediately notify the sender and then delete this communication in its entirety from your system."

—

Daron R. Haddock

Coal Program Manager

Utah Division of Oil, Gas & Mining

[\(801\) 538-5325](tel:8015385325)

2 attachments

 **jgUtahNOTICE.pdf**
10K

 **131-117emrenew16.tot.rv2.pdf**
4624K

NOTICE

Notice is hereby given that CONSOL Mining Company LLC, 1000 Consol Energy Drive, Canonsburg, Pennsylvania 15317, has filed application with the State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining for a five-year permit renewal of Permit No. ACT/015/015 to operate the Emery Mine under the provisions of the Utah Coal Mining and Reclamation Act and the Utah R645 Coal Mining Rules.

The permit area, as shown on the map below, is located on U.S. Geological Survey 7.5 minute quadrangle map as follows:

Township 22 South, Range 6 East

Section 27: portions of NW/4, SW/4, NE/4

Section 30: portions of NE/4

Section 32: portions of NW/4, NE/4, SE/4

Section 33: portions of NW/4, NE/4, SW/4

(Insert Map)

Copies of the application for this permit are available for inspection at:

Emery County Recorder's Office
Emery County Courthouse
Castle Dale, Utah 84513

Utah Division of Oil, Gas and Mining
Coal Program
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Written comments, objections, or requests for an informal conference should be submitted to the State of Utah, Division of Oil, Gas & Mining at the above address. Such comments or requests should be filed within thirty (30) days from the date of the last publication of this notice.

CONSOL Mining Company LLC.
1000 CONSOL Energy Drive
Canonsburg, PA 15317
(724) 485-4267

September 02, 2015

Daron Haddock, Permit Supervisor
Utah Coal Regulatory Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

RE: Emery Mine
Permit No. ACT/015/015
Permit Renewal

Dear Mr. Haddock:

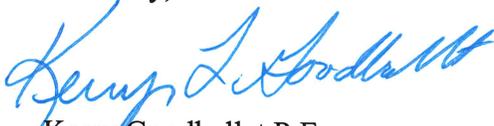
Enclosed please find three (3) copies of CONSOL Mining Company LLC's (CMC) permit renewal for the above mentioned permit. CMC requests that the permit be renewed for a five (5) year period from January 7, 2016 through January 7, 2021. This application is being filed under the guidelines of R645-303-230 of the Coal Mining Rules for the State of Utah. The following information is included as part of our application.

1. Certificate of Liability Insurance
2. Letter from St. Paul/Travelers which states that Seaboard Surety Company, Bond No. 0022666 will remain in full force and effect for any renewal requested, as well as any additional bond required by the Division pursuant to R645-301-800
3. Current history of violations as of September 1, 2015.

In addition, a copy of the draft public notice of application for the renewal is included for your review.

If you have any questions concerning this request, please contact me at (724) 485-4267.

Sincerely,



Kerry Goodballet P.E.
Director of Permitting – Coal

Enclosure

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: CONSOL Mining Company LLC

Mine: Emery Mine

Permit Number: 015/0015

Title: Permit Renewal

Description, Include reason for application and timing required to implement:

Permit 015/0015 Renewal

9/2015

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ increase decrease.
2. Is the application submitted as a result of a Division Order? DO# _____
3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
4. Does the application include operations in hydrologic basins other than as currently approved?
5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
6. Does the application require or include public notice publication?
7. Does the application require or include ownership, control, right-of-entry, or compliance information?
8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
9. Is the application submitted as a result of a Violation? NOV # _____
10. Is the application submitted as a result of other laws or regulations or policies?
11. Does the application affect the surface landowner or change the post mining land use?
12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
13. Does the application require or include collection and reporting of any baseline information?
14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
15. Does the application require or include soil removal, storage or placement?
16. Does the application require or include vegetation monitoring, removal or revegetation activities?
17. Does the application require or include construction, modification, or removal of surface facilities?
18. Does the application require or include water monitoring, sediment or drainage control measures?
19. Does the application require or include certified designs, maps or calculation?
20. Does the application require or include subsidence control or monitoring?
21. Have reclamation costs for bonding been provided?
22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Kerry L Gwozdzak
Print Name

Kerry L Gwozdzak, Dir Coal Permits 9-2-15
Sign Name, Position, Date

Subscribed and sworn to before me this 2 day of SEPTEMBER, 2015

Jane M Young
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Jane M. Young, Notary Public
Cecil Twp., Washington County
My Commission Expires June 20, 2017
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

My commission Expires: _____, 20__ }
Attest: State of PENNSYLVANIA } ss:
County of WASHINGTON }

Table with 3 columns: For Office Use Only, Assigned Tracking Number, Received by Oil, Gas & Mining

NOTICE

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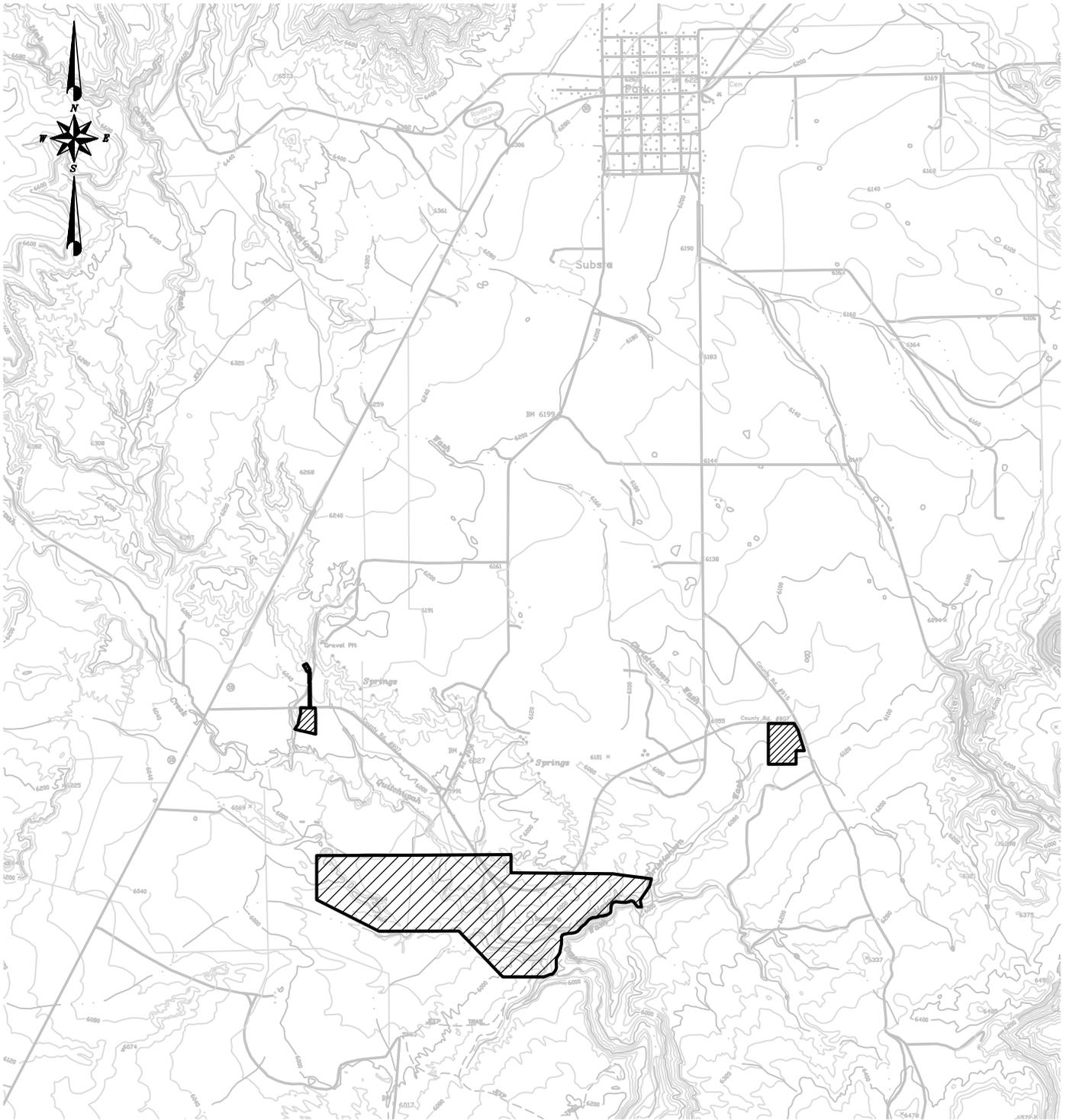
(Insert Map)

Copies of the application for this permit are available for inspection at:

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Emery County Courthouse
Castle Dale, Utah 84513

Utah Division of Oil, Gas and Mining
Coal Program
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

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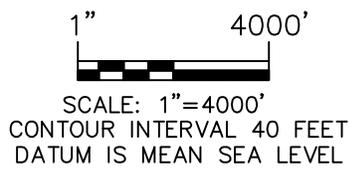


CONSOL Mining Company LLC
Emery Mine
 Emery County, Utah
 Permit #ACT015/015



BASE MAP:
 U.S.G.S 7.5 MINUTE QUADRANGLE'S. EMERY WEST 1968.
 EMERY EAST 1968, PHOTO REVISED 1978.
 MESA BUTTE 1968, PHOTO REVISED 1978.
 WALKER FLATE 1968, PHOTO REVISED 1978.

LEGEND
 PERMIT AREA BOUNDARY





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/05/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh USA Inc. Attn: Lorene Kutzner Six PPG Place, Suite 400 (412) 552-5163 Pittsburgh, PA 15222 00812-CONSO-NOWC-14-15 Mining Compa	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS:		FAX (A/C, No):
	INSURER(S) AFFORDING COVERAGE		
INSURED CONSOL Mining Company LLC c/o CONSOL Energy Inc. CNX Center 1000 CONSOL Energy Drive Canonsburg, PA 15317-6506	INSURER A : N/A		N/A
	INSURER B : N/A		N/A
	INSURER C : Steadfast Insurance Company		26387
	INSURER D : N/A		N/A
	INSURER E :		
	INSURER F :		

COVERAGES **CERTIFICATE NUMBER:** CLE-003200807-34 **REVISION NUMBER:** 10

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
C	GENERAL LIABILITY			BOG 9377215-11	11/05/2014	11/05/2015	EACH OCCURRENCE	\$ 1,000,000	
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ N/A	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ N/A	
	GEN'L AGGREGATE LIMIT APPLIES PER:							PERSONAL & ADV INJURY	\$ 1,000,000
	<input checked="" type="checkbox"/> POLICY	<input type="checkbox"/> PRO-JECT	<input type="checkbox"/> LOC					GENERAL AGGREGATE	\$ 1,000,000
								PRODUCTS - COMP/OP AGG	\$ 1,000,000
									\$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$	
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$	
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident)	\$	
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident)	\$	
								\$	
	UMBRELLA LIAB						EACH OCCURRENCE	\$	
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> OCCUR					AGGREGATE	\$	
	<input type="checkbox"/> DED	<input type="checkbox"/> RETENTION \$						\$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						<input type="checkbox"/> WC STATUTORY LIMITS	<input type="checkbox"/> OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y / <input type="checkbox"/> N					E. L. EACH ACCIDENT	\$	
	If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				E. L. DISEASE - EA EMPLOYEE	\$	
							E. L. DISEASE - POLICY LIMIT	\$	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 All operations usual to the business of the Insured at Emery Mine, permit ID ACT 015/015. Blasting is not excluded by the General Liability policy.

CERTIFICATE HOLDER**CANCELLATION**

State of Utah
 Utah Coal Regulatory Program
 1594 West North Temple, Suite 1210
 145801
 Lake City, UT 84114-5801

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
 of Marsh USA Inc.

Manashi Mukherjee

Manashi Mukherjee

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VERIFICATION CERTIFICATE FOR INDEFINITE TERM SURETY BOND

THIS IS TO CERTIFY that Bond Number SUR0022666 issued by Argonaut Insurance Company, as Surety, dated the 27th day of January, 2014, in the amount of Three Million Five Hundred And Ten Thousand And 00/100 (\$ 3,510,000.00), on behalf of CONSOL Mining Company LLC, as Principal, and in favor of State of Utah, Division of Oil, Gas & Mining, as Oblige, covers a term which began on the 27th day of January, 2014, and ends only with the cancellation of said bond or other legal termination thereof; and that the said bond remains in effect, subject to all its agreements, conditions and limitations.

Signed, sealed and dated this 04th day of December, 2014.

Argonaut Insurance Company
Surety

By: Loretta M. Jones
Loretta M. Jones, Attorney-In-Fact

State of **Tennessee** }
County of **Knox** } ss:

On **December 04, 2014**, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared

Loretta M. Jones

known to me to be Attorney-in-Fact of **Argonaut Insurance Company** the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument in behalf of the said corporation, and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

My Commission Expires **September 30, 2017**

Sandra Ward

Sandra Ward

Notary Public



**Argonaut Insurance Company
Deliveries Only: 225 W. Washington, 24th Floor
Chicago, IL 60606**

United States Postal Service: P.O. Box 469011, San Antonio, TX 78246

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Carolyn E. Wheeler, Novetta M. Anderson, Kellie A. Turner, Loretta M. Jones, Mary Y. Volmar, Tara W. Mealer, Joy M. Williams

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$40,000,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 18th day of July, 2013.

Argonaut Insurance Company



by: _____

Joshua C. Betz

Joshua C. Betz, Senior Vice President

STATE OF TEXAS
COUNTY OF HARRIS SS:

On this 18th day of July, 2013 A.D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.



Kathleen M. Meeks

(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 4th day of December, 2014.



Sarah Heineman

Sarah Heineman, VP-Underwriting Surety

CONSOL Energy and Related Companies - Violation History**September 1, 2012 - September 1, 2015**

Attachment Page 1 of 50

Entity to whom violation(s) were issued: CONSOL Buchanan Mining Company, LLC

PERMIT NO: 1402103 MSHA NO: MSHA DATE:
VIOLATION NO: 1402103 (JAK0000 DATE VIOL. ISSUED: 7/18/2014 ISSUED BY: VDMME
VIOLATION DESCRIPTION: Operator submitted incorrect data for outlet 033 during 1st
Qtr 2014. Data submitted 1/14/14 was obtained from a sample that was
collected at direct discharge of diffuser, not LFR-2.
CURRENT STATUS: NON-REMEDIAL STATUS DATE: 7/18/2014
REQUIRED ACTIONS: Non-remedial NOV, therefore, no further action needed.

ABATEMENT ACTIONS: Non-remedial NOV, therefore, no further action needed.

CONSOL Energy and Related Companies - Violation History

September 1, 2012 - September 1, 2015

Attachment Page 2 of 50

Entity to whom violation(s) were issued: CONSOL Energy Inc.

PERMIT NO: 561757 MSHA NO: MSHA DATE:
VIOLATION NO: TK00175086 DATE VIOL. ISSUED: 3/28/2013 ISSUED BY: US Coast Gu
VIOLATION DESCRIPTION: No person may transfer oil or hazardous material to or from a
vessel unless each person in charge has filled out and signed the
declaration of inspection.
CURRENT STATUS: COMPLETED STATUS DATE: 4/19/2013
REQUIRED ACTIONS:

ABATEMENT ACTIONS: Penalty Paid.

CONSOL Energy and Related Companies - Violation History**September 1, 2012 - September 1, 2015**

Attachment Page 3 of 50

Entity to whom violation(s) were issued: CONSOL Mining Company, LLC

PERMIT NO: 33723006 MSHA NO: MSHA DATE:
 VIOLATION NO: 33723006 (2) DATE VIOL. ISSUED: 9/4/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failed to maintain dams, ponds, embankments and
 impoundments in accordance with Chapter 105

CURRENT STATUS: ABATED STATUS DATE: 10/7/2014
 REQUIRED ACTIONS: Submit a plan and schedule to repair Pond L2. Repairs must
 begin within 60 days of the order

ABATEMENT ACTIONS:

PERMIT NO: 33723006 MSHA NO: MSHA DATE:
 VIOLATION NO: 33723006 (1) DATE VIOL. ISSUED: 8/11/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to submit annual impoundment certification.

CURRENT STATUS: PENDING STATUS DATE:
 REQUIRED ACTIONS: Submit annual impoundment certification.

ABATEMENT ACTIONS:

PERMIT NO: C0150015 MSHA NO: MSHA DATE:
 VIOLATION NO: C0150015 (15148) DATE VIOL. ISSUED: 12/17/2014 ISSUED BY: UT DOGM
 VIOLATION DESCRIPTION: Failed to submit certified reports to the Division promptly
 after each inspection of the refuse pile.

CURRENT STATUS: TERMINATED STATUS DATE: 12/17/2014
 REQUIRED ACTIONS: Submit refuse pile reports promptly after each inspection

ABATEMENT ACTIONS:

PERMIT NO: C0150015 MSHA NO: MSHA DATE:
 VIOLATION NO: C0150015 (10146) DATE VIOL. ISSUED: 6/25/2014 ISSUED BY: UT DOGM
 VIOLATION DESCRIPTION: Failed to do a quarterly inspection and P.E. certified report
 for the refuse pile during the first quarter of 2014.

CURRENT STATUS: TERMINATED STATUS DATE: 6/25/2014
 REQUIRED ACTIONS: Operator needs to insure that quarterly inspection and P.E.
 certified reports are done for the refuse pile.

ABATEMENT ACTIONS: Operator has already completed inspection and P.E. certified report
 for the second quarter of 2014 on April 20, 2014.

CONSOL Energy and Related Companies - Violation History**September 1, 2012 - September 1, 2015**

Attachment Page 6 of 50

Entity to whom violation(s) were issued: CONSOL of Kentucky Inc.

PERMIT NO: S007384 MSHA NO: MSHA DATE:
 VIOLATION NO: S007384 (52) DATE VIOL. ISSUED: 5/1/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to keep operable regrading equipment on permit in that, permittee removed the only excavator from permit.

CURRENT STATUS: VACATED STATUS DATE: 6/12/2014
 REQUIRED ACTIONS: Maintain operable regrading equipment and resume reclamation on permit.

ABATEMENT ACTIONS: Permittee is maintaining operable regrading equipment and has resumed reclamation activities.
 Company did have operable equipment available.

PERMIT NO: S007384 MSHA NO: MSHA DATE:
 VIOLATION NO: S007384 (51) DATE VIOL. ISSUED: 12/13/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to conduct surface mining and reclamation operations described in the approved application. A 1year/24 hour storm event occurred without sufficient inspection and reporting.

CURRENT STATUS: WITHDRAWN STATUS DATE: 12/27/2013
 REQUIRED ACTIONS: Ensure reporting of 1 year/24 hour storm event and completion of a permit wide drainage system inspection is reported to the Secretary.

ABATEMENT ACTIONS: WITHDRAWN DUE TO RAIN GAUGE DATA
 DOES NOT COUNT TOWARDS STIC CALCULATION
 DOES NOT COUNT TOWARDS STIC CALCULATION

PERMIT NO: S017978 MSHA NO: MSHA DATE:
 VIOLATION NO: S017978 (47) DATE VIOL. ISSUED: 2/13/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Permittee failed to meet effluent limits set forth in NPDES permit #WV1003682. (pH minimum dai

CURRENT STATUS: VACATED STATUS DATE: 4/11/2013
 REQUIRED ACTIONS: Bring Outlet 070 into compliance with pH limits set forth in NPDES permit.

ABATEMENT ACTIONS: FACT AND PENALTY VACATED BY WV DEP
 DOES NOT COUNT TOWARDS STIC CALCULATION
 DOES NOT COUNT TOWARDS STIC CALCULATION

PERMIT NO: S500402 MSHA NO: MSHA DATE:
 VIOLATION NO: S500402 (10) DATE VIOL. ISSUED: 7/5/2015 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failure to maintain drainage control drainage from VF1A was discharging into wrong ditch causing deposition/erosion out of outlet 023, large haulroad sump was leaking.

CURRENT STATUS: TERMINATED STATUS DATE: 7/29/2015
 REQUIRED ACTIONS: Ensure that drainage discharges into sump SD-46, as designed and seed and straw off permit disturbance. Ensure that all road sumps above SD-45 aren't leaking. Monitor Riffe Branch during NOV.

ABATEMENT ACTIONS:

CONSOL Energy and Related Companies - Violation History*September 1, 2012 - September 1, 2015*

Attachment Page 8 of 50

Entity to whom violation(s) were issued: CONSOL of Kentucky Inc.

PERMIT NO: S500402 MSHA NO: MSHA DATE:
 VIOLATION NO: S500402 (6) DATE VIOL. ISSUED: 6/5/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to maintain sediment control, sumps along haulroad in area DA-44 & DA-45 leaked into DRF#6 of S-88-80 causing discolored water to discharge from underdrain at toe of Riffe Branch
 CURRENT STATUS: TERMINATED STATUS DATE: 7/21/2014
 REQUIRED ACTIONS: Install and Maintain temporary sediment control measures at toe of DRF#6 to reduce further disturbance to the hydrologic balance. Construct sumps along haulroad DA-44 & DA-45 for control.
 ABATEMENT ACTIONS: Permittee has ceased discolored discharge from DRF6.

PERMIT NO: S500402 MSHA NO: MSHA DATE:
 VIOLATION NO: S500402 (5) DATE VIOL. ISSUED: 5/14/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to maintain sediment control, sumps and water collection area adjacent to haulroad scale house leaked into Jim's Branch fill causing discolored water to discharge from underdrain
 CURRENT STATUS: TERMINATED STATUS DATE: 7/21/2014
 REQUIRED ACTIONS: Install and Maintain temporary sediment control measures below fill in Jim's Branch to reduce further disturbance to hydrologic balance. Clean and line cells adjacent to house with impermeable material
 ABATEMENT ACTIONS: Permittee has ceased discolored discharge from Jims Branch.

PERMIT NO: S500402 MSHA NO: MSHA DATE:
 VIOLATION NO: S500402 (4) DATE VIOL. ISSUED: 4/23/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to maintain sediment ditch 41 N of outlet 047. Upon discovery, permittee was already working to fix the area.
 CURRENT STATUS: VACATED STATUS DATE: 6/12/2014
 REQUIRED ACTIONS: Stabilize and vegetate off permit disturbance. Submit an up to date progress map showing off permit area. Rebuild and certify SD-41.
 ABATEMENT ACTIONS: Area of the slide was the result of a water line from the Mingo Co. PSD that ran through the permit started leaking causing the material to become saturated. Company repaired.

PERMIT NO: S500402 MSHA NO: MSHA DATE:
 VIOLATION NO: S500402 (3) DATE VIOL. ISSUED: 12/23/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to follow NPDES permit conditions in that permittee has not submitted quarterly reports of monthly rain events to the inspector for the permit.
 CURRENT STATUS: TERMINATED STATUS DATE: 3/31/2014
 REQUIRED ACTIONS: Examine the special sampling conditions of the NPDES permit and being submitting reports to inspector by abatement date.
 ABATEMENT ACTIONS: Permittee has submitted Special Sampling reports for permit.

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Entity to whom violation(s) were issued: CONSOL of Kentucky Inc.

PERMIT NO: S500402 MSHA NO: MSHA DATE:
 VIOLATION NO: S500402 (2) DATE VIOL. ISSUED: 8/9/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to properly construct E&S controls to the right of Outlet 018, looking downstream, as a hole has developed. Allowing road drainage to leave the permit without passing through.
 CURRENT STATUS: TERMINATED STATUS DATE: 9/18/2013
 REQUIRED ACTIONS: Cease gray discharge by initial abate by date. Line ditch with impermeable liner. Recertify ditch upon completion.

ABATEMENT ACTIONS:

PERMIT NO: S500402 MSHA NO: MSHA DATE:
 VIOLATION NO: S500402 (1) DATE VIOL. ISSUED: 6/13/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to pass runoff from coal stockpile through approved sediment control structures in that runoff passed into valley fill and down the underdrain, resulting in discoloration of Riffe Branch.
 CURRENT STATUS: TERMINATED STATUS DATE: 7/25/2013
 REQUIRED ACTIONS: Cease noncompliant discharge/move stockpile so runoff will pass through sediment control. Straw bales/filter fabric at toe of fill to help control siltation until NOV is terminated.

ABATEMENT ACTIONS:

PERMIT NO: S500802 MSHA NO: MSHA DATE:
 VIOLATION NO: S500802 (6) DATE VIOL. ISSUED: 12/13/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to conduct surface mining and reclamation operations described in the approved application. A 1 year/24 hour storm event occurred without sufficient inspection and reporting.
 CURRENT STATUS: WITHDRAWN STATUS DATE: 12/27/2013
 REQUIRED ACTIONS: Ensure reporting of 1 year/24 hour storm event and completion of a permit wide drainage system inspection is reported to the Secretary.
 ABATEMENT ACTIONS: WITHDRAWN DUE TO RAIN GAUGE DATA
 DOES NOT COUNT TOWARDS STIC CALCULATION
 DOES NOT COUNT TOWARDS STIC CALCULATION

PERMIT NO: S500802 MSHA NO: MSHA DATE:
 VIOLATION NO: S500802 (5) DATE VIOL. ISSUED: 2/13/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Permittee failed to construct and certify permanent sediment control structures in sections of 100
 CURRENT STATUS: TERMINATED STATUS DATE: 10/28/2013
 REQUIRED ACTIONS: Certify any constructed permanent sediment control structures within 1000 linear feet as measure

ABATEMENT ACTIONS:

CONSOL Energy and Related Companies - Violation History**September 1, 2012 - September 1, 2015**

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Entity to whom violation(s) were issued: CONSOL of Kentucky Inc.

PERMIT NO: S500802 MSHA NO: MSHA DATE:
 VIOLATION NO: S500802 (4) DATE VIOL. ISSUED: 10/2/2012 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Permittee failed to maintain sediment control, in that, Sediment Ditch 16 and Outlet 14 exceeded

CURRENT STATUS: TERMINATED STATUS DATE: 12/4/2012
 REQUIRED ACTIONS: Clean Sediment Ditch 16 and Outlet 14 to 100% capacity and re-certify

ABATEMENT ACTIONS:

PERMIT NO: S500905 MSHA NO: MSHA DATE:
 VIOLATION NO: S500905 (21) DATE VIOL. ISSUED: 8/27/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to protect offsite areas from surface mining operations in that SD-12's berm slipped below permitted area and deposited dirt and rocks below permitted area.

CURRENT STATUS: TERMINATED STATUS DATE: 10/30/2014
 REQUIRED ACTIONS: Cease discharge from break in berm, clean eroded and slide material and repair and seed, repair and recertify ditches and submit progress map showing offsite areas.

ABATEMENT ACTIONS:

PERMIT NO: S500905 MSHA NO: MSHA DATE:
 VIOLATION NO: S500905 (20) DATE VIOL. ISSUED: 7/16/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Hillside and road below permit area had been graded and seeded without permit.

CURRENT STATUS: TERMINATED STATUS DATE: 7/25/2013
 REQUIRED ACTIONS: Provide temporary E&S controls. Rework ditches to meet permanent E&S standards. Recertify ditches. Submit progress map.

ABATEMENT ACTIONS: Submitted progress map, recertified ditches, and provided temporary E&S control. Vegetation appears to be growing well.

PERMIT NO: S500905 MSHA NO: MSHA DATE:
 VIOLATION NO: S500905 (19) DATE VIOL. ISSUED: 10/1/2012 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Permittee failed to maintain an approved drainage structure in that SD-24 was allowed to accumulate that were discharged in associated off-site areas thereby disturbing the prevailing hydrologic balance. Failed to provide 0.125ac/ft of storage volume.

CURRENT STATUS: TERMINATED STATUS DATE: 10/3/2012
 REQUIRED ACTIONS: Cease the discharge of discolored water from SD-24 and restore the sediment capacity in SD-24.

ABATEMENT ACTIONS:

CONSOL Energy and Related Companies - Violation History**September 1, 2012 - September 1, 2015**

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Entity to whom violation(s) were issued: CONSOL of Kentucky Inc.

PERMIT NO: S501806 MSHA NO: MSHA DATE:
 VIOLATION NO: S501806 (19) DATE VIOL. ISSUED: 5/20/2015 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to protect off-site areas from the effects of surface mining in that discharge from Outlet 032 has caused erosion below permitted area.
 CURRENT STATUS: TERMINATED STATUS DATE: 8/17/2015
 REQUIRED ACTIONS: Repair off-site area to protect it from further damage from erosion. Permittee shall survey the area after repair and will resubmit an IBR to bond off site disturbance.
 ABATEMENT ACTIONS:

PERMIT NO: S501806 MSHA NO: MSHA DATE:
 VIOLATION NO: S501806 (18) DATE VIOL. ISSUED: 8/25/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to protect offsite areas from surface mining operations in that the outer berm of SD-11, 1D, and 2, slid and deposited below permitted area.
 CURRENT STATUS: TERMINATED STATUS DATE: 10/30/2014
 REQUIRED ACTIONS: Cease discharge from break in berm, clean eroded and deposited material and repair and seed, repair and recertify ditches and submit progress map showing offsite areas.
 ABATEMENT ACTIONS:

PERMIT NO: S501806 MSHA NO: MSHA DATE:
 VIOLATION NO: S501806 (17) DATE VIOL. ISSUED: 8/22/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to protect offsite from disturbance in that work was done on approx. 1.5 miles of existing gas road for access to sampling points by water samplers, and at the request of Cotiga, as the road was degrading.
 CURRENT STATUS: VACATED STATUS DATE: 9/19/2013
 REQUIRED ACTIONS: Seed disturbed areas and show as off permit disturbance on a new progress map.
 ABATEMENT ACTIONS: Fact and Penalty Vacated
 DOES NOT COUNT TOWARDS STIC CALCULATION
 DOES NOT COUNT TOWARDS STIC CALCULATION

PERMIT NO: S501806 MSHA NO: MSHA DATE:
 VIOLATION NO: S501806 (16) DATE VIOL. ISSUED: 8/13/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to ensure stability of regraded area above Outlet 013. Area has slid and impacted below permit boundary, to gas road below permit.
 CURRENT STATUS: TERMINATED STATUS DATE: 11/19/2013
 REQUIRED ACTIONS: Provide temporary E&S control (sumps, straw bales, silt fences). Stabilize slip area/re-establish permanent E&S. Bond road leading to VF3 from VF2, proper drainage for road, Attain IBR as part of repair.
 ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: CONSOL of Kentucky Inc.

PERMIT NO: S502598 MSHA NO: MSHA DATE:
 VIOLATION NO: S502598 (45) DATE VIOL. ISSUED: 6/5/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Did not submit PMLU variance for AOC variant areas.

CURRENT STATUS: VACATED STATUS DATE: 8/23/2013
 REQUIRED ACTIONS: Submit a permit revision to address the PMLU for AOC variant areas.

ABATEMENT ACTIONS: Fact and Penalty Vacated
 DOES NOT COUNT TOWARDS STIC CALCULATION
 DOES NOT COUNT TOWARDS STIC CALCULATION

PERMIT NO: S503288 MSHA NO: MSHA DATE:
 VIOLATION NO: S503288 (69) DATE VIOL. ISSUED: 8/4/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to prevent disturbance to the hydrologic balance in that, permittee discolored Laurel branch by improperly removing a beaver dam from outlet 015.

CURRENT STATUS: TERMINATED STATUS DATE: 8/5/2014
 REQUIRED ACTIONS: Remediate all disturbances to the hydrologic balance.

ABATEMENT ACTIONS:

PERMIT NO: S503893 MSHA NO: MSHA DATE:
 VIOLATION NO: S503893 (25) DATE VIOL. ISSUED: 4/6/2015 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failure to maintain sediment control structures in that the sediment ditch failed and deposited spoil off permit beside Outlet 008.

CURRENT STATUS: TERMINATED STATUS DATE: 6/29/2015
 REQUIRED ACTIONS: Permittee is to repair ditch breakthrough and repair beginnings of slips on either side of breakthrough. Permittee will recertify sediment control ditch.

ABATEMENT ACTIONS:

PERMIT NO: S503893 MSHA NO: MSHA DATE:
 VIOLATION NO: S503893 (24) DATE VIOL. ISSUED: 8/27/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to protect offsite areas from surface mining activities in that a section of sediment ditch between DRF 1102 and Outlet 008 slid and deposited material below permitted area.

CURRENT STATUS: TERMINATED STATUS DATE: 10/30/2014
 REQUIRED ACTIONS: Cease discharge from break in berm, clean eroded and slide material and repair and seed, repair and recertify ditches and submit progress map showing offsite areas.

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: CONSOL of Kentucky Inc.

PERMIT NO: S504093 MSHA NO: MSHA DATE:
 VIOLATION NO: S504903 (11) DATE VIOL. ISSUED: 3/24/2015 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failure to minimize the disturbance to the prevailing hydrologic balance at the mine site and associated off-site areas in that Pond silt was pumped directly into stream channel.
 CURRENT STATUS: TERMINATED STATUS DATE: 3/30/2015
 REQUIRED ACTIONS: Permittee will clean silt from un-named tributary of Millers Creek, and Millers Creek itself if needed.

ABATEMENT ACTIONS:

PERMIT NO: U005785 MSHA NO: MSHA DATE:
 VIOLATION NO: U005785 (34) DATE VIOL. ISSUED: 4/25/2014 ISSUED BY: WD DEP
 VIOLATION DESCRIPTION: Failed to properly maintain the drainage system in that the pipes carrying drainage from the borehole area at Rockhouse Branch became disconnected resulting in discharge at improper location
 CURRENT STATUS: TERMINATED STATUS DATE: 10/3/2014
 REQUIRED ACTIONS: Safely discharge water from mine works through the Coalburg Seam outcrop in aforementioned area, per plan. Reclaim access road slide of disconnected pipes, ensure proper drainage.

ABATEMENT ACTIONS:

PERMIT NO: U005785 MSHA NO: MSHA DATE:
 VIOLATION NO: U005785 (33) DATE VIOL. ISSUED: 4/17/2014 ISSUED BY: WD DEP
 VIOLATION DESCRIPTION: Failed to protect off-site area from slide, in that material from permitted area above Laurel Lake Rd. just upstream from the dam threatens the safety of public traveling the road.
 CURRENT STATUS: TERMINATED STATUS DATE: 10/3/2014
 REQUIRED ACTIONS: Stabilize the slide area so that it does not present a danger to Laurel Lake Road. A representative is to monitor the slide 24hrs a day until it is stabilized.

ABATEMENT ACTIONS:

PERMIT NO: U005785 MSHA NO: MSHA DATE:
 VIOLATION NO: U005785 (32) DATE VIOL. ISSUED: 4/15/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to protect off-site area from slide, in that material from permitted area above Laurel Lake Rd. just upstream from the dam threatens the safety of public traveling the road.
 CURRENT STATUS: MODIFIED STATUS DATE: 4/17/2014
 REQUIRED ACTIONS: Stabilize the slide area so that it does not present a danger to Laurel Lake Road. A representative is to monitor the slide 24hrs a day until it is stabilized.

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: CONSOL of Kentucky Inc.

PERMIT NO: U005785 MSHA NO: MSHA DATE:
 VIOLATION NO: U005785 (31) DATE VIOL. ISSUED: 9/13/2012 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to commence final backfilling and regrading to Spruce Creek No. 2 Deep Mine portal area

CURRENT STATUS: TERMINATED STATUS DATE: 10/22/2012

REQUIRED ACTIONS: Commence final backfill and regrading of Spruce Creek No. 2 Deep Mine area. To achieve final reclamation, all punch-outs, boreholes, etc. must be sealed and final certified.

ABATEMENT ACTIONS:

PERMIT NO: U032700 MSHA NO: MSHA DATE:
 VIOLATION NO: U032700 (12) DATE VIOL. ISSUED: 11/5/2014 ISSUED BY: WV DEP

VIOLATION DESCRIPTION: Failure to properly maintain water quality standards below outlet 009. Iron staining was present on Marrowbone Creek 875 ft. below NPDES permit WV0048593 outlet 009.

CURRENT STATUS: TERMINATED STATUS DATE: 11/12/2014

REQUIRED ACTIONS: Cease the staining of the aforementioned section of Marrowbone Creek. Also, remove beaver dam from Holding Pond #2 spillway.

ABATEMENT ACTIONS:

PERMIT NO: U032700 MSHA NO: MSHA DATE:
 VIOLATION NO: U032700 (12) DATE VIOL. ISSUED: 12/9/2013 ISSUED BY: WV DEP

VIOLATION DESCRIPTION: Failed to protect off-site areas from slides in that drainage from a diversion at a previously-repaired area escaped that ditch and flowed into a lower diversion that couldn't handle the volume.

CURRENT STATUS: TERMINATED STATUS DATE: 5/21/2014

REQUIRED ACTIONS:

ABATEMENT ACTIONS:

PERMIT NO: U032700 MSHA NO: MSHA DATE:
 VIOLATION NO: U032700 (11) DATE VIOL. ISSUED: 11/28/2012 ISSUED BY: WV DEP

VIOLATION DESCRIPTION: Miller Creek Underground/Plant Operations received 1 NOV in November 2012. A beaver dam at

CURRENT STATUS: TERMINATED STATUS DATE: 11/28/2012

REQUIRED ACTIONS: Remove dam from spillway, to re-establish proper discharge from proper spillway and proper free Certify Holding Pond 2 to document proper stability of embankment.

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: CONSOL of Kentucky Inc.

PERMIT NO: U064600 MSHA NO: MSHA DATE:
 VIOLATION NO: U064600 (28) DATE VIOL. ISSUED: 5/14/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Water was observed seeping through the Coalburg seam outcrop at approx 30gpm. Slide occurred above county road in Big Laurel Branch.
 CURRENT STATUS: TERMINATED STATUS DATE: 12/19/2013
 REQUIRED ACTIONS: Stabilize the slide area so it does not present danger to the public. Monitor 24 hrs a day until completion.
 ABATEMENT ACTIONS: CO modified to NOV.

PERMIT NO: U065000 MSHA NO: MSHA DATE:
 VIOLATION NO: U065000 (20) DATE VIOL. ISSUED: 7/30/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to maintain and use Pond 1 according to approved plan, in that some of the coal stock pile drainage is being discharged through the rock spillway without first entering the pond.
 CURRENT STATUS: TERMINATED STATUS DATE: 8/26/2013
 REQUIRED ACTIONS: Properly direct all coal stockpile drainage to Pond 1, to ensure proper discharge. Remove coal from rock spillway and drainway below it. Clean haulroad sumps going to both truck shop and stockpile area.
 ABATEMENT ACTIONS:

PERMIT NO: U500310 MSHA NO: MSHA DATE:
 VIOLATION NO: U500310 (1) DATE VIOL. ISSUED: 5/7/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to follow permit conditions in that the Groundwater Protection plan was not followed on site, allowing petroleum products to spill onto the ground.
 CURRENT STATUS: TERMINATED STATUS DATE:
 REQUIRED ACTIONS: Clean all affected areas and dispose of materials properly, and provide an invoice and pictures showing such.
 ABATEMENT ACTIONS:

PERMIT NO: U500597 MSHA NO: MSHA DATE:
 VIOLATION NO: U500597 (4) DATE VIOL. ISSUED: 12/10/2012 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Permittee failed to submit a final planting plan report (MR-8) to the Secretary within 60 days after Phase I approved 7/17/12 and report has not been submitted.
 CURRENT STATUS: TERMINATED STATUS DATE: 1/24/2013
 REQUIRED ACTIONS: Submit a final planting plan report to the Secretary.
 ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: CONSOL of Kentucky Inc.

PERMIT NO: U503108 MSHA NO: MSHA DATE:
 VIOLATION NO: U503108 (9) DATE VIOL. ISSUED: 6/5/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Permittee failed to maintain sediment control in that Pond No. 1 was discharging turbid water into Left Fork of Riffe Branch.

CURRENT STATUS: VACATED STATUS DATE: 8/1/2014
 REQUIRED ACTIONS: Utilize additional turbidity curtains and floc to remediate turbid discharge of Pond No. 1.

ABATEMENT ACTIONS: EPA instructed the company to down size the pond dimensions and located the pond in an area that could not totally control the drainage properly. Discharge was not excessive.

PERMIT NO: U503108 MSHA NO: MSHA DATE:
 VIOLATION NO: U503108 (8) DATE VIOL. ISSUED: 2/12/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Permittee did not maintain access road to Pond 1 to proper performance standards in that erosio

CURRENT STATUS: TERMINATED STATUS DATE: 3/21/2013
 REQUIRED ACTIONS: Permittee is to clean out and ensure proper function sediment control structures and ditches, prov

ABATEMENT ACTIONS:

PERMIT NO: U503497 MSHA NO: MSHA DATE:
 VIOLATION NO: U503497 (22) DATE VIOL. ISSUED: 3/24/2015 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failure to properly control discharge by failure to construct a diversion channel to reduce erosion, prevent deepening or enlargement of stream channels & minimize disturbance of hydrologi balance.

CURRENT STATUS: TERMINATED STATUS DATE: 6/24/2015
 REQUIRED ACTIONS: Temporarily install a pipe to the natural drainway and submit/gain approval of an IBR to construct a permanent diversion using standard engineering procedures

ABATEMENT ACTIONS:

PERMIT NO: U503497 MSHA NO: MSHA DATE:
 VIOLATION NO: U503497 (19) DATE VIOL. ISSUED: 4/14/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to prevent indiscriminate dumping of materials in that, a substantial amount of litter and a lumber pile was present.

CURRENT STATUS: VACATED STATUS DATE: 7/3/2014
 REQUIRED ACTIONS: Ensure all litter, garbage, and lumber are properly disposed of. All areas disturbed by the removal shall be seeded and mulched. Ensure access to area is restricted by locking gate.

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: Consol Pennsylvania Coal Company LLC

PERMIT NO: 30020701 MSHA NO: MSHA DATE:
 VIOLATION NO: 30020701 (1) DATE VIOL. ISSUED: 9/22/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to maintain effluent limits for Manganese at Outfall 301.

CURRENT STATUS: COMPLETED STATUS DATE:

REQUIRED ACTIONS: Provide adequate treatment to ensure that all discharges from area disturbed by mining activities meet the established effluent limits.

ABATEMENT ACTIONS:

PERMIT NO: 30080701 MSHA NO: MSHA DATE:
 VIOLATION NO: 30080701 DATE VIOL. ISSUED: 2/3/2015 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: The sample for Outfall 601 had an iron concentration of 6.156 mg/l which exceeds the allowable limit of 3.2 mg/l and aluminum of 5.957 mg/l which exceeds the limit of 1.0 mg/l.

CURRENT STATUS: PENDING STATUS DATE:

REQUIRED ACTIONS: Operator shall immediately provide adequate treatment to ensure that all discharges from areas disturbed by mining activities meet the established effluent limits.

ABATEMENT ACTIONS:

PERMIT NO: 30080701 MSHA NO: MSHA DATE:
 VIOLATION NO: 30080701 (3) DATE VIOL. ISSUED: 11/20/2013 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to construct adequate erosion and sediment control.

CURRENT STATUS: ABATED STATUS DATE:

REQUIRED ACTIONS:

ABATEMENT ACTIONS:

PERMIT NO: 30080701 MSHA NO: MSHA DATE:
 VIOLATION NO: 131039 DATE VIOL. ISSUED: 8/28/2013 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Discharge of water from an area disturbed by mining activities as evidence by sample number 076, collected 7/11/2013, Al concentration of 2.528 mg/l (exceeds 1.92mg/l limit)

CURRENT STATUS: ABATED STATUS DATE:

REQUIRED ACTIONS: Provide adequate treatment to ensure that all discharges from area disturbed by mining activities meet established effluent limits.

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: Consol Pennsylvania Coal Company LLC

PERMIT NO: 30080701 MSHA NO: MSHA DATE:
 VIOLATION NO: No Violation Numb DATE VIOL. ISSUED: 7/11/2013 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failed to submit the areas HMRs on time.

CURRENT STATUS: ABATED STATUS DATE: 8/9/2013
 REQUIRED ACTIONS: Submit monitoring information as soon as possible.

ABATEMENT ACTIONS: DEP notified that samples were not taken upon submittal of HMR.
 Informed contractor that analysis needs to be completed ASAP.
 Submitted analysis as requested on 8/9/2013.

PERMIT NO: 30080701 MSHA NO: MSHA DATE:
 VIOLATION NO: No Violation Numb DATE VIOL. ISSUED: 5/1/2013 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Cemetary area not appropriately labeled

CURRENT STATUS: ABATED STATUS DATE: 5/30/2013
 REQUIRED ACTIONS:

ABATEMENT ACTIONS: Large metal signs with correct language have been added.

PERMIT NO: 30080701 MSHA NO: MSHA DATE:
 VIOLATION NO: No Violation Numb DATE VIOL. ISSUED: 5/1/2013 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Pipes laying beyond permit boundary

CURRENT STATUS: ABATED STATUS DATE: 5/30/2013
 REQUIRED ACTIONS:

ABATEMENT ACTIONS: Cemetary barrier has been moved outside of the boundary.

PERMIT NO: 30841316 MSHA NO: MSHA DATE:
 VIOLATION NO: 30841316 (4) DATE VIOL. ISSUED: 4/1/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to properly maintain effluent limits for TSS and
 Aluminum at Outlet 001.

CURRENT STATUS: ABATED STATUS DATE: 5/7/2014
 REQUIRED ACTIONS: Return effluent limits to compliance.

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: Consol Pennsylvania Coal Company LLC

PERMIT NO: 30841317 MSHA NO: MSHA DATE:
 VIOLATION NO: 30841317 DATE VIOL. ISSUED: 4/29/2015 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to monitor NPDES discharges as specified
 in the approved permit.

CURRENT STATUS: TERMINATED STATUS DATE: 4/29/2015
 REQUIRED ACTIONS: Conduct monitoring of NPDES discharges and submit reports
 to the Department as specified in the approved permit.

ABATEMENT ACTIONS:

PERMIT NO: 30841317 MSHA NO: MSHA DATE:
 VIOLATION NO: 30841317 DATE VIOL. ISSUED: 9/24/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to maintain effluent limits for TSS at outlet 014
 during the month of May.

CURRENT STATUS: ABATED STATUS DATE: 10/29/2014
 REQUIRED ACTIONS: Provide adequate treatment to ensure that all discharges from
 area disturbed by mining activities meet the established
 effluent limits.

ABATEMENT ACTIONS:

PERMIT NO: 30841317 MSHA NO: MSHA DATE:
 VIOLATION NO: 30841317 DATE VIOL. ISSUED: 9/22/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to maintain effluent limits for Iron, Aluminum
 and TSS at Outfall 032.

CURRENT STATUS: ABATED STATUS DATE:
 REQUIRED ACTIONS: Provide adequate treatment to ensure that all discharges from
 area disturbed by mining activities meet the established
 effluent limits.

ABATEMENT ACTIONS:

PERMIT NO: 30841317 MSHA NO: MSHA DATE:
 VIOLATION NO: 30841317 (4) DATE VIOL. ISSUED: 6/23/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to maintain effluent limits for Aluminum at outlet
 033.

CURRENT STATUS: ABATED STATUS DATE: 7/23/2014
 REQUIRED ACTIONS: Immediately provide adequate treatment to ensure that all
 discharges from areas disturbed by mining activities meet the
 established limits.

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: Consol Pennsylvania Coal Company LLC

PERMIT NO: 30841317 MSHA NO: MSHA DATE:
 VIOLATION NO: 30841317 (4) DATE VIOL. ISSUED: 3/28/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failed to maintain effluent limits for TSS at outlet 017, as well as Aluminum and Osmotic Pressure at outlet 025.

 CURRENT STATUS: ABATED STATUS DATE: 5/14/2014
 REQUIRED ACTIONS: Provide adequate treatment to ensure that all discharges from areas distributed by mining activities meet the established effluent limits.

 ABATEMENT ACTIONS:

PERMIT NO: 30841317 MSHA NO: MSHA DATE:
 VIOLATION NO: 30841317 (3) DATE VIOL. ISSUED: 2/25/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to properly maintain sediment pond. There was a small flow of water over the embankment near the decant.

 CURRENT STATUS: ABATED STATUS DATE: 3/18/2014
 REQUIRED ACTIONS: Take action to stabilize and maintain erosion and sediment controls

 ABATEMENT ACTIONS: Required maintenance on pond associated with outfall 013 has been completed. All sites appeared stable during inspection.

PERMIT NO: OGO-31836 MSHA NO: MSHA DATE:
 VIOLATION NO: OGO-31836 DATE VIOL. ISSUED: 6/23/2015 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to submit the annual Mechanical Integrity Assessment Report for January 1, 2014 - December 31, 2014.

 CURRENT STATUS: PENDING STATUS DATE:
 REQUIRED ACTIONS:

 ABATEMENT ACTIONS:

PERMIT NO: PA-30-00072H MSHA NO: MSHA DATE:
 VIOLATION NO: PA-30-00072H DATE VIOL. ISSUED: 8/12/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to maintain the limits specified in the plan approval for the mechanical vent exhaust flow rate from the clean coal storage silo.

 CURRENT STATUS: PENDING STATUS DATE:
 REQUIRED ACTIONS: Maintain the specified limits in the plan approval for the mechanical vent exhaust flow rate from the clean coal storage silo.

 ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: Consol Pennsylvania Coal Company LLC

PERMIT NO: PA-30-00072H MSHA NO: MSHA DATE:
 VIOLATION NO: PA-30-00072H DATE VIOL. ISSUED: 8/12/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to conduct required stack testing of the coal storage silo mechanical vent associated with Clean Coal Silo #6.

CURRENT STATUS: VACATED STATUS DATE: 8/25/2014
 REQUIRED ACTIONS: Conduct required stack testing of the coal storage silo mechanical vent associated with Clean Coal Silo #6.

ABATEMENT ACTIONS:

PERMIT NO: PA-30-00072I MSHA NO: MSHA DATE:
 VIOLATION NO: PA-30-00072I DATE VIOL. ISSUED: 1/9/2015 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to submit the extension request in accordance with the specified timeframe.

CURRENT STATUS: PENDING STATUS DATE:
 REQUIRED ACTIONS:

ABATEMENT ACTIONS:

PERMIT NO: PA-30-00072I MSHA NO: MSHA DATE:
 VIOLATION NO: PA-30-00072I DATE VIOL. ISSUED: 10/16/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to meet limits associated with required stack tests.

CURRENT STATUS: PENDING STATUS DATE:
 REQUIRED ACTIONS: Meet the conditions of the control plan to restore compliance.

ABATEMENT ACTIONS:

PERMIT NO: PA-30-00072I MSHA NO: MSHA DATE:
 VIOLATION NO: PA-30-00072I DATE VIOL. ISSUED: 8/12/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to conduct the required stack testing of each coal storage silo mechanical vent associated with the raw coal silos at the Oak Springs Slope-end.

CURRENT STATUS: WITHDRAWN STATUS DATE:
 REQUIRED ACTIONS: Conduct required stack testing of the coal storage silo mechanical vent associated with raw coal silos at the Oak Springs Slope-end.

ABATEMENT ACTIONS: THIS NOV WAS TRADED FOR RECORD #2260. STATUS CHANGED TO WITHDRAWN.

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Entity to whom violation(s) were issued: Consolidation Coal Company

PERMIT NO: 1400047 MSHA NO: MSHA DATE:
 VIOLATION NO: NXA0002325 DATE VIOL. ISSUED: 4/8/2013 ISSUED BY: VA DMLR
 VIOLATION DESCRIPTION: Waterline failure allowed the discharge of raw mine water to discharge.

CURRENT STATUS: COMPLETED STATUS DATE: 4/8/2013
 REQUIRED ACTIONS: Repair the line.

ABATEMENT ACTIONS: Non-remedial. Repairs were completed 4/3/2013

PERMIT NO: 1401825 MSHA NO: MSHA DATE:
 VIOLATION NO: TMM0008414 DATE VIOL. ISSUED: 6/19/2013 ISSUED BY: VA DMLR
 VIOLATION DESCRIPTION: Exceeded NPDES permit 0081825 maximum TSS parameters for February 2013 at Outfall 001. Determined to be a significant Noncompliance by the Division's Water Quality Section.

CURRENT STATUS: NON-REMEDIAL STATUS DATE: 6/19/2013
 REQUIRED ACTIONS: Violation is non-remedial.

ABATEMENT ACTIONS: Non-remedial
 DOES NOT COUNT TOWARDS STIC CALCULATION
 DOES NOT COUNT TOWARDS STIC CALCULATION

PERMIT NO: 1401825 MSHA NO: MSHA DATE:
 VIOLATION NO: TMM0008286 DATE VIOL. ISSUED: 3/25/2013 ISSUED BY: VA DMME
 VIOLATION DESCRIPTION: Exceeded NPDES permit 0081825 avg and max TSS for 11/2012 at outlet 001

CURRENT STATUS: NON-REMEDIAL STATUS DATE: 4/22/2013
 REQUIRED ACTIONS: Non-remedial.

ABATEMENT ACTIONS: Violation is non-remedial.
 DOES NOT COUNT TOWARDS STIC CALCULATION
 DOES NOT COUNT TOWARDS STIC CALCULATION

PERMIT NO: 1401825 MSHA NO: MSHA DATE:
 VIOLATION NO: TMM0008205 DATE VIOL. ISSUED: 1/31/2013 ISSUED BY: VA DMME
 VIOLATION DESCRIPTION: Contractor allowed road to develop potholes and ruts to a point that drainage cannot reach the ditchline. Slide on haulroad took some of road berm. Road does not have sufficient surface.

CURRENT STATUS: TERMINATED STATUS DATE: 2/6/2013
 REQUIRED ACTIONS: Repair the slide below the road, grade the road to direct the drainage to the ditchline, remove pot
 Contractor is required to cease coal haulage on the road until the repairs are completed.

ABATEMENT ACTIONS: Action taken to abate
 DOES NOT COUNT TOWARDS STIC CALCULATION
 DOES NOT COUNT TOWARDS STIC CALCULATION

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Entity to whom violation(s) were issued: Consolidation Coal Company

PERMIT NO: 1401825 MSHA NO: MSHA DATE:
 VIOLATION NO: TMM0008128 DATE VIOL. ISSUED: 12/12/2012 ISSUED BY: VA DMME
 VIOLATION DESCRIPTION: Exceeded NPDES permit 0081825 avg and max TSS for
 9/2012 at 001 and 003. Iron exceeded at 003.

CURRENT STATUS: TERMINATED STATUS DATE: 12/12/2012
 REQUIRED ACTIONS: Non-remedial.

ABATEMENT ACTIONS: Violation is non-remedial.
 DOES NOT COUNT TOWARDS STIC CALCULATION

PERMIT NO: 30733707 MSHA NO: MSHA DATE:
 VIOLATION NO: No Violation Numb DATE VIOL. ISSUED: 12/5/2012 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Operator has not submitted 3rd quarter water monitoring reports that were due October 31.

CURRENT STATUS: TERMINATED STATUS DATE: 1/9/2013
 REQUIRED ACTIONS: Submit reports by the close of business 12/20/2012

ABATEMENT ACTIONS:

PERMIT NO: 30841312 MSHA NO: MSHA DATE:
 VIOLATION NO: 136002 DATE VIOL. ISSUED: 10/8/2013 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failed to prevent sediment from entering Blockhouse Run.

CURRENT STATUS: PENDING STATUS DATE:
 REQUIRED ACTIONS:

ABATEMENT ACTIONS:

PERMIT NO: 30841313 MSHA NO: MSHA DATE:
 VIOLATION NO: 30841313 DATE VIOL. ISSUED: 6/18/2014 ISSUED BY: PA DEP
 VIOLATION DESCRIPTION: Failure to maintain effluent limits for Iron at Outlet 004.

CURRENT STATUS: PENDING STATUS DATE:
 REQUIRED ACTIONS: No further actions need to be taken, since future DMRs are within
 the permit requirements.

ABATEMENT ACTIONS: Iron limits for outlet 004 were within permit requirements for
 April and May 2014.

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Entity to whom violation(s) were issued: Consolidation Coal Company

PERMIT NO: O100100 MSHA NO: MSHA DATE:
 VIOLATION NO: O100100 (9) DATE VIOL. ISSUED: 7/5/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to maintain effluent limitations for Al and Fe.

CURRENT STATUS: TERMINATED STATUS DATE: 7/5/2013
 REQUIRED ACTIONS: Repair pumps that prevent discharge or begin treatment to bring effluent limits into compliance.

ABATEMENT ACTIONS:

PERMIT NO: O100100 MSHA NO: MSHA DATE:
 VIOLATION NO: O100100 (8) DATE VIOL. ISSUED: 6/10/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to protect off-site areas from surface mining operations

CURRENT STATUS: TERMINATED STATUS DATE: 9/10/2013
 REQUIRED ACTIONS: 1.Implement measures to seal off seep. 2. Inspect slip area according to DEP schedule.3.Construct weir to measure flow.4.Stabilize slip.
 5.Notify DEP if groin ditch gets blocked.6.IBR impacted area.

ABATEMENT ACTIONS: extension is granted to allow continued monitoring of the slip and for submittal of the IBR

PERMIT NO: TN0048895 MSHA NO: MSHA DATE:
 VIOLATION NO: TN0048895 (1) DATE VIOL. ISSUED: 2/21/2013 ISSUED BY: TN DEC
 VIOLATION DESCRIPTION: Failure to comply with NPDES permit conditions

CURRENT STATUS: ABATED STATUS DATE: 7/8/2013
 REQUIRED ACTIONS:

ABATEMENT ACTIONS: NPDES limits restored to compliance.

PERMIT NO: U001284 MSHA NO: MSHA DATE:
 VIOLATION NO: U001284 (9) DATE VIOL. ISSUED: 10/9/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Permittee failed to submit an application for permit renewal at least 120 days prior to the expiration of the permit.

CURRENT STATUS: TERMINATED STATUS DATE: 11/9/2013
 REQUIRED ACTIONS: Submit renewal

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: Consolidation Coal Company

PERMIT NO: U001784 MSHA NO: 46-01576 MSHA DATE:
 VIOLATION NO: U001784 (1) DATE VIOL. ISSUED: 9/24/2012 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to properly maintain approved drainage system.

CURRENT STATUS: ABATED STATUS DATE:

REQUIRED ACTIONS: Properly maintain drainage system in that company needs to repair pond (spillway area) for Dewatering Well Site at outlet 061.

Also clean up and offsite damage along the Guyandotte River

ABATEMENT ACTIONS:

PERMIT NO: U010483 MSHA NO: MSHA DATE:
 VIOLATION NO: U010483 (84) DATE VIOL. ISSUED: 8/28/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Constructed a water retention structure on the face of the fill at the Coarse Coal Refuse facility. The water retention structure was not constructed in accordance with plans, design criteria, and specification set forth in the pre

CURRENT STATUS: TERMINATED STATUS DATE: 8/28/2013

REQUIRED ACTIONS: Remove the water retention structure and restore the area in accordance with the plans, design criteria, and specifications set forth in the pre-plan.

ABATEMENT ACTIONS: Permittee has graded the area and restored the correct drainage pattern.

PERMIT NO: U010483 MSHA NO: MSHA DATE:
 VIOLATION NO: U010483 (83) DATE VIOL. ISSUED: 8/15/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to meet effluent conditions at Outlet 002. Discharging water had a concentration of 150 mg/L settleable solids during a storm event.

CURRENT STATUS: TERMINATED STATUS DATE: 8/19/2013

REQUIRED ACTIONS: Bring Outlet 002 into compliance with effluent limits

ABATEMENT ACTIONS: Permittee has pumped down the water level and outlet 002 is no longer flowing.

PERMIT NO: U010483 MSHA NO: 46-013318 MSHA DATE: n/a
 VIOLATION NO: U010483 (82) DATE VIOL. ISSUED: 12/11/2012 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Permittee failed to ensure mass stability and to prevent mass movement during and after all phases of construction; in that approximately half of the western dike collapsed into the impoundment.

CURRENT STATUS: EXTENDED STATUS DATE: 12/10/2013

REQUIRED ACTIONS: 1. Submit and obtain approval of a plan to stabilize the failed western saddle dike.
 3. Submit and obtain a permit modification to redesign the western saddle dike before continuing
 4. Refrain from increasing the embankment height or pool elevation of the Nolan's Run slurry imp

ABATEMENT ACTIONS: Allowed the failed western saddle dike to stabilize at angle of repose.
 Permittee is still conducting test borings to determine the cause for the failure of the western saddle dike.

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Entity to whom violation(s) were issued: Consolidation Coal Company

PERMIT NO: U020983 MSHA NO: MSHA DATE:
 VIOLATION NO: U020983 (4) DATE VIOL. ISSUED: 10/9/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Permittee failed to submit an application for permit
 renewal at least 120 days prior to the expiration of the permit.

CURRENT STATUS: TERMINATED STATUS DATE: 11/9/2013
 REQUIRED ACTIONS: Submit renewal

ABATEMENT ACTIONS:

PERMIT NO: U102591 MSHA NO: MSHA DATE:
 VIOLATION NO: U102591 (47) DATE VIOL. ISSUED: 4/16/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Violated conditions not allowed in state waters per 47CSR2
 3.2f. (distinctly visible color)

CURRENT STATUS: TERMINATED STATUS DATE: 5/3/2013
 REQUIRED ACTIONS: Remediate subsidence damage to the unnamed tributary of
 Wheeling Creek located at specified coordinates and implement
 measures to prevent distinctly visible color.

ABATEMENT ACTIONS: Stream has cleared up completely as of 1 May 2013. No Action on
 behalf of company was needed.

PERMIT NO: U102591 MSHA NO: MSHA DATE:
 VIOLATION NO: U102591 (46) DATE VIOL. ISSUED: 2/23/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to maintain effluent limits set forth by NPDES.
 Discharged water at outlet 018 that exceeded chloride concentration
 limit of 378 mg/l at the 8-North Airshaft/Golden Ridge Portal

CURRENT STATUS: WITHDRAWN STATUS DATE: 3/15/2013
 REQUIRED ACTIONS: 1.) Immediately cease discharge at outlet 018 until you can meet the NPDES permit limit for chlor
 2.) Submit a written explanation for the causation of this chloride exceedance
 3.) Submit a written plan describing measures you will implement to prevent future chloride excee

ABATEMENT ACTIONS: VIOLATION WITHDRAWN.
 DOES NOT COUNT TOWARDS STIC CALCULATION
 DOES NOT COUNT TOWARDS STIC CALCULATION

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Entity to whom violation(s) were issued: Eighty-Four Mining Company

PERMIT NO: 63743702 MSHA NO: MSHA DATE:
VIOLATION NO: No Violation Numb DATE VIOL. ISSUED: 1/14/2013 ISSUED BY: PA DEP
VIOLATION DESCRIPTION: Past DMRs showed violations of Mn, Al, TSS, and OP at either 008 or 009. Terminated because

CURRENT STATUS: TERMINATED STATUS DATE: 1/14/2013
REQUIRED ACTIONS: Maintain effluent limit standards.

ABATEMENT ACTIONS: Action taken to abate

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Entity to whom violation(s) were issued: Fola Coal Company, L.L.C.

PERMIT NO: O200194 MSHA NO: MSHA DATE:
 VIOLATION NO: O200194 (15) DATE VIOL. ISSUED: 4/2/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Annual DMR sampling showed Aluminum concentrations above set limit.

CURRENT STATUS: TERMINATED STATUS DATE: 7/15/2013

REQUIRED ACTIONS: Treat water in pond 2 sufficiently for Aluminum before discharging.
 Increase retainment time in pond and treat water sufficiently for
 Al before discharging.

ABATEMENT ACTIONS:

PERMIT NO: O200194 MSHA NO: MSHA DATE:
 VIOLATION NO: O200194 (14) DATE VIOL. ISSUED: 1/4/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: NPDES permit expires in less than 120 days.

CURRENT STATUS: TERMINATED STATUS DATE: 2/8/2013

REQUIRED ACTIONS: Renew NPDES before expiration date.

ABATEMENT ACTIONS: NPDES Renewal applied for.

PERMIT NO: O200194 MSHA NO: MSHA DATE:
 VIOLATION NO: O200194 (13) DATE VIOL. ISSUED: 12/10/2012 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Discharge out of outlet 002 was pH and Fe 5.5 both of which were beyond set limits.

CURRENT STATUS: TERMINATED STATUS DATE: 1/9/2013

REQUIRED ACTIONS: Treat water sufficiently to control pH and Fe in pond 2 before reaching outlet 002.

ABATEMENT ACTIONS: Ditch that discharges from tunnel to above pond at outlet 002 cleaned, additional treatment of wat

PERMIT NO: O201193 MSHA NO: MSHA DATE:
 VIOLATION NO: O201193 (23) DATE VIOL. ISSUED: 1/4/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: NPDES permit expires in less than 120 days.

CURRENT STATUS: TERMINATED STATUS DATE: 2/4/2013

REQUIRED ACTIONS: Renew NPDES before expiration date.

ABATEMENT ACTIONS: Renewed NPDES

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Entity to whom violation(s) were issued: Fola Coal Company, L.L.C.

PERMIT NO: S200307 MSHA NO: MSHA DATE:
 VIOLATION NO: S200307 (2) DATE VIOL. ISSUED: 1/4/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Seep found between sediment ditch and windrow. Analysis from lab showed pH (3.59) in addition

CURRENT STATUS: TERMINATED STATUS DATE: 6/6/2013
 REQUIRED ACTIONS: Retain water from seep on bonded area and treat before discharging.

ABATEMENT ACTIONS: Ditch being pumped to allow for reconstruction of ditch with better material to keep water from se

PERMIT NO: S200396 MSHA NO: MSHA DATE:
 VIOLATION NO: S200396 (42) DATE VIOL. ISSUED: 7/7/2015 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failure to maintain effluent limits in that an outlet discharged water with a Mn concentration of 12.9 mg/l when the limit for Mn is 4.0 mg/l.

CURRENT STATUS: EXTENDED STATUS DATE: 8/7/2015
 REQUIRED ACTIONS: Maintain effluent limits so they are back in compliance.

ABATEMENT ACTIONS:

PERMIT NO: S200502 MSHA NO: MSHA DATE:
 VIOLATION NO: S200502 (24) DATE VIOL. ISSUED: 3/10/2015 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failure to maintain effluent limits in a pond that discharged water with an Fe concentration of 1.4 mg/l and Mn of 4.07 mg/l at that outlet.

CURRENT STATUS: TERMINATED STATUS DATE: 3/10/2015
 REQUIRED ACTIONS: Maintain effluent limits so they are back in compliance.

ABATEMENT ACTIONS:

PERMIT NO: S200502 MSHA NO: MSHA DATE:
 VIOLATION NO: S200502 (23) DATE VIOL. ISSUED: 3/12/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Operator failed to maintain effluent limits for Mn at outlets 022, 023, & 027.

CURRENT STATUS: TERMINATED STATUS DATE: 4/17/2014
 REQUIRED ACTIONS: Maintain treatment and effluent limits at outlets 022, 023, & 027.

ABATEMENT ACTIONS: Operator has maintained effluent limits for Mn at outlets 022, 023, and 027.

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Entity to whom violation(s) were issued: Fola Coal Company, L.L.C.

PERMIT NO: S200502 MSHA NO: MSHA DATE:
 VIOLATION NO: S200502 (22) DATE VIOL. ISSUED: 1/10/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Operator failed to maintain effluent limits for Fe at Outlet 020. Flows were less than 20 gpm.

CURRENT STATUS: TERMINATED STATUS DATE: 1/13/2014
 REQUIRED ACTIONS: Maintain treatment at outlet 020 or continue to pump water.

ABATEMENT ACTIONS: Operator has stopped discharging water, and is pumping water to pond #1 for treatment.

PERMIT NO: S200502 MSHA NO: MSHA DATE:
 VIOLATION NO: S200502 (21) DATE VIOL. ISSUED: 5/13/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Outlet that is usually pumped down and not allowed to flow was flowing at approx. 8 gmp. pH, Fe, and Mn limits out of compliance on field test. Lab samples taken.

CURRENT STATUS: TERMINATED STATUS DATE: 5/13/2013
 REQUIRED ACTIONS: Pump cells above outlet to above pond 22 for treatment, or treat water in cells to meet effluent standards.

ABATEMENT ACTIONS: Sediment cell above outlet being pumped to prevent discharge.

PERMIT NO: S200599 MSHA NO: MSHA DATE:
 VIOLATION NO: S200599 (10) DATE VIOL. ISSUED: 4/28/2015 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to maintain effluent limits for Al, Fe, Mn, and pH at Outlet 010.

CURRENT STATUS: TERMINATED STATUS DATE: 5/5/2015
 REQUIRED ACTIONS: Treat outlet so that it is in compliance.

ABATEMENT ACTIONS:

PERMIT NO: S200599 MSHA NO: MSHA DATE:
 VIOLATION NO: S200599 (10) DATE VIOL. ISSUED: 9/16/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to maintain effluent limits in that Outlet 5 was discharging water with 10 ppm Mn.

CURRENT STATUS: TERMINATED STATUS DATE:
 REQUIRED ACTIONS: Take measures to meet effluent limits for Mn.

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: Fola Coal Company, L.L.C.

PERMIT NO: S201398 MSHA NO: MSHA DATE:
 VIOLATION NO: S201398 (19) DATE VIOL. ISSUED: 6/5/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to maintain effluent limits for Manganese at outlet
 003 pond 003 at flow of approximately 10gal/min.

CURRENT STATUS: TERMINATED STATUS DATE: 7/11/2014
 REQUIRED ACTIONS: Operator needs to maintain treatment.

ABATEMENT ACTIONS: Operator has maintained effluent limits at outlet 003. Lab results
 have shown 0.0288 mg/L of Manganese.

PERMIT NO: S201398 MSHA NO: MSHA DATE:
 VIOLATION NO: S201398 (7) DATE VIOL. ISSUED: 1/29/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Cast flyrock beyond the bounds of permit area.

CURRENT STATUS: EXTENDED STATUS DATE: 2/19/2014
 REQUIRED ACTIONS: Submit and obtain approval of a Causation and Prevention
 Plan. 2. No blasting within 1000 feet of the permit boundary
 until causation and prevention plan is accepted/approved.

ABATEMENT ACTIONS:

PERMIT NO: S201398 MSHA NO: MSHA DATE:
 VIOLATION NO: S201398 (18) DATE VIOL. ISSUED: 12/9/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to submit a revision by Dec 1, 2013 requesting
 a waiver from the requirements that billing and rough grading be
 completed within 180 days of final mineral removal.

CURRENT STATUS: TERMINATED STATUS DATE: 1/4/2014
 REQUIRED ACTIONS: Operator must submit revision asap.

ABATEMENT ACTIONS:

PERMIT NO: S201398 MSHA NO: MSHA DATE:
 VIOLATION NO: S201398 (17) DATE VIOL. ISSUED: 10/21/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to maintain effluent limitations for total Fe and
 Suspended Solids.

CURRENT STATUS: TERMINATED STATUS DATE: 11/5/2013
 REQUIRED ACTIONS: Maintain treatment and clean ponds as needed.

ABATEMENT ACTIONS: Operator has maintained effluent levels at 003.

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Entity to whom violation(s) were issued: Fola Coal Company, L.L.C.

PERMIT NO: S201398 MSHA NO: MSHA DATE:
 VIOLATION NO: S201398 (16) DATE VIOL. ISSUED: 1/4/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: NPDES permit expires in less than 120 days.

CURRENT STATUS: TERMINATED STATUS DATE: 2/8/2013
 REQUIRED ACTIONS: Renew NPDES before expiration date.

ABATEMENT ACTIONS: Applied for NPDES renewal

PERMIT NO: S300207 MSHA NO: MSHA DATE:
 VIOLATION NO: S300207 (22) DATE VIOL. ISSUED: 12/30/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to protect off-site areas from damage during mining operations. A slide has occurred between outlet 013 & 012 just below sediment ditch #6 and extends beyond bonded permit area.

CURRENT STATUS: TERMINATED STATUS DATE: 1/22/2015
 REQUIRED ACTIONS: Stabilize, reseed, regrade.

ABATEMENT ACTIONS:

PERMIT NO: S300207 MSHA NO: MSHA DATE:
 VIOLATION NO: S300207 (21) DATE VIOL. ISSUED: 1/14/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to protect off-site areas from damage during mining operations. A slide has occurred near outlet 013 just below sediment ditch #6

CURRENT STATUS: TERMINATED STATUS DATE: 5/21/2014
 REQUIRED ACTIONS: Stabilize, reseed, regrade.

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: Helvetia Coal Company

PERMIT NO: 32841303 MSHA NO: MSHA DATE:
VIOLATION NO: 4328 DATE VIOL. ISSUED: 4/10/2013 ISSUED BY: PA DEP
VIOLATION DESCRIPTION: Failure to submit two water samples

CURRENT STATUS: COMPLETED STATUS DATE: 4/10/2013
REQUIRED ACTIONS: All future DMR reports must include 2 water samples as required
by NPDES permit.

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: Indian Gap Coal Company

PERMIT NO: 1201231 MSHA NO: MSHA DATE:
VIOLATION NO: 1201231 (DLH000 DATE VIOL. ISSUED: 3/11/2014 ISSUED BY: VDMME
VIOLATION DESCRIPTION: Failed to submit water surface monitoring and ground
water monitoring reports for Nov 2013 as required by the approved
plans and regulations.
CURRENT STATUS: VACATED STATUS DATE: 4/21/2014
REQUIRED ACTIONS: This is a non-remedial NOV, no further action necessary.

ABATEMENT ACTIONS: No further action is necessary; Non-remedial NOV

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Entity to whom violation(s) were issued: Island Creek Coal Company

PERMIT NO: P067400 MSHA NO: MSHA DATE:
VIOLATION NO: P067400 (13) DATE VIOL. ISSUED: 9/29/2014 ISSUED BY: WV DEP
VIOLATION DESCRIPTION: Failure to pass all drainage through an approved drainage structure.

CURRENT STATUS: TERMINATED STATUS DATE: 10/15/2014
REQUIRED ACTIONS: Continue to monitor the seep pumps to ensure that seep water is no longer entering into Elk Run.

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: Keystone Coal Mining Corporation

PERMIT NO:	03793072	MSHA NO:		MSHA DATE:	
VIOLATION NO:	03793072	DATE VIOL. ISSUED:	7/11/2014	ISSUED BY:	PA DEP
VIOLATION DESCRIPTION: Operator failed to report DMRs for outlets 005 and 011.					

CURRENT STATUS:	VACATED	STATUS DATE:	8/4/2014
REQUIRED ACTIONS:	Operator needs to submit DMRs by August 11, 2014.		

ABATEMENT ACTIONS:

PERMIT NO:	03801302	MSHA NO:		MSHA DATE:	
VIOLATION NO:	No Violation Numb	DATE VIOL. ISSUED:	8/21/2013	ISSUED BY:	PA DEP
VIOLATION DESCRIPTION: Self Reported Manganese NONs in June Outlet 002					

CURRENT STATUS:	COMPLETED	STATUS DATE:	8/21/2013
REQUIRED ACTIONS:			

ABATEMENT ACTIONS: Write and lift

PERMIT NO:	03801302	MSHA NO:		MSHA DATE:	
VIOLATION NO:	No Violation Numb	DATE VIOL. ISSUED:	7/10/2013	ISSUED BY:	PA DEP
VIOLATION DESCRIPTION: Effluent Standards (Manganese Avg.) at Outlet 002.					

CURRENT STATUS:	COMPLETED	STATUS DATE:	7/10/2013
REQUIRED ACTIONS:			

ABATEMENT ACTIONS: Write and lift.

PERMIT NO:	03813704	MSHA NO:		MSHA DATE:	
VIOLATION NO:	03813704	DATE VIOL. ISSUED:	4/29/2014	ISSUED BY:	PA DEP
VIOLATION DESCRIPTION: Violation issued after a review of Q1 DMRs. pH exceeded permit limit.					

CURRENT STATUS:	PENDING	STATUS DATE:	
REQUIRED ACTIONS:	Return effluents to compliance.		

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: Keystone Coal Mining Corporation

PERMIT NO: 32101701 MSHA NO: MSHA DATE:
VIOLATION NO: 4454492 DATE VIOL. ISSUED: 4/22/2013 ISSUED BY: PA DEP
VIOLATION DESCRIPTION: Self reported non compliance reports of NPDES permit.

CURRENT STATUS: COMPLETED STATUS DATE: 4/22/2013
REQUIRED ACTIONS: Non-correctable.

ABATEMENT ACTIONS:

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Entity to whom violation(s) were issued: McElroy Coal Company

PERMIT NO:	U003383	MSHA NO:	46-01437	MSHA DATE:	n/a
VIOLATION NO:	U003383 (71)	DATE VIOL. ISSUED:	9/4/2012	ISSUED BY:	WV DEP
VIOLATION DESCRIPTION:	Company failed to comply with permit conditions in that it failed to resubmit the pre-subsidence survey requested corrections to the DEP for the William Parsons property prior to undermining the property.				
CURRENT STATUS:	TERMINATED	STATUS DATE:	9/13/2012		
REQUIRED ACTIONS:	Submit pre-subsidence survey with corrections to DEP.				
ABATEMENT ACTIONS:	Required work completed; Violation terminated				

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Entity to whom violation(s) were issued: Powellton Coal Company, L.L.C.

PERMIT NO: S300301 MSHA NO: MSHA DATE:
 VIOLATION NO: S300301 (42) DATE VIOL. ISSUED: 3/24/2014 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failed to maintain effluent limits for Al and Fe at Outfalls 012 and 018. 012 showed 1.11mg/L for Al and 1.86mg/L for Fe; 018 showed 2.22mg/L for Al and 3.35mg/L for Fe.
 CURRENT STATUS: TERMINATED STATUS DATE: 3/24/2014
 REQUIRED ACTIONS: Cease the discharge of noncompliant water at Outfalls 012 and 018. Evacuate existing sediment control structures and Outlets to comply and further maintain effluent limits.
 ABATEMENT ACTIONS:

PERMIT NO: S300301 MSHA NO: MSHA DATE:
 VIOLATION NO: S300301 (41) DATE VIOL. ISSUED: 12/11/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failure to maintain the approved drainage system in Sediment Ditch 4, near the 10L curve southwest of Outlet 004.
 CURRENT STATUS: TERMINATED STATUS DATE: 1/2/2014
 REQUIRED ACTIONS: Repair, seed and mulch the sediment control ditch as per permit guidelines.
 ABATEMENT ACTIONS:

PERMIT NO: S300301 MSHA NO: MSHA DATE:
 VIOLATION NO: S300301 (40) DATE VIOL. ISSUED: 10/31/2013 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Failure to protect off-site area from damage during surface mining operations. Permittee went off of the bonded area to access material necessary to reclaim the highwall.
 CURRENT STATUS: VACATED STATUS DATE: 2/24/2014
 REQUIRED ACTIONS: Regrade, seed, and mulch all disturbed areas outside of the bonded area and update permit map. On the next permitting action IBR should be made to show all disturbed areas relevant to NOV.
 ABATEMENT ACTIONS:

PERMIT NO: S300301 MSHA NO: 46-48889 MSHA DATE:
 VIOLATION NO: S300301 (39) DATE VIOL. ISSUED: 12/4/2012 ISSUED BY: WV DEP
 VIOLATION DESCRIPTION: Discharged water from areas disturbed by surface mining that does not meet effluent limitations o
 CURRENT STATUS: TERMINATED STATUS DATE: 12/18/2012
 REQUIRED ACTIONS: Meet the effluent limitations or the applicable water quality standards. (NPDES Outfall 019 - Fe Le
 ABATEMENT ACTIONS: Action taken to abate.

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Entity to whom violation(s) were issued: Reserve Coal Properties Company

PERMIT NO: WVG550349 MSHA NO: MSHA DATE:
VIOLATION NO: W-NW-SAB-05151 DATE VIOL. ISSUED: 5/15/2013 ISSUED BY: WV DEP
VIOLATION DESCRIPTION: Violated conditions of NPDES permit.

CURRENT STATUS: PENDING STATUS DATE:
REQUIRED ACTIONS:

ABATEMENT ACTIONS:

PERMIT NO: WVG550349 MSHA NO: MSHA DATE:
VIOLATION NO: W-NW-SAB-05151 DATE VIOL. ISSUED: 5/15/2013 ISSUED BY: WV DEP
VIOLATION DESCRIPTION: Caused conditions not allowable in waters

CURRENT STATUS: PENDING STATUS DATE:
REQUIRED ACTIONS:

ABATEMENT ACTIONS:
