

October 22,2004
Notes of Field Investigation at Trib 32596
Bailey Mine, CMAP 30841316
Richhill Township, Greene County

From the California District Mine Office Department representatives William S. Plassio, District Mine Manager, Joseph Leone, Chief of the Permit Section, Joel Koricich, Engineering Supervisor Hydraulic, Joseph Szunyog, Geologist, and myself, Mark Frederick, were conducting an investigation of stream dewatering raised by Kim Jones, a resident with property at the headwater region of this tributary. Mrs. Jones accompanied us on this investigation. While walking downstream in the unmined 3I panel we noted an activity had occurred within the stream that raised questions in our minds. Where gas well 4686 was being prepared for plugging in this unmined panel, we observed that several hundred feet of the stream channel had been partially filled with on site materials and a new channel section constructed. At this time we do not know if a Chapter 105 permit had been obtained for this activity. There were no erosion and sediment controls that had been implemented and the new earthen stream channel was not stabilized to prevent accelerated erosion. A road cut into this site was stoned but the material cut from the hillside during the road construction was cast downslope onto the floodplain for the stream without any erosion controls in place. The road began at Bristoria Road and continued upstream approximately 1600 feet to the well plugging site. I had a Trimble Geo 3 GPS unit and collected points which will used to locate the road and disturbed area for the well plugging operation and can be used to determine the areal extent of the disturbance. Digital photographs were taken by me and are stored on our 01 server [\\Epdmmcs01\Digital_Photos\Bailey Mine\Streams\Bailey ST-32596\10_22_2004](\\Epdmmcs01\Digital_Photos\Bailey_Mine\Streams\Bailey_ST-32596\10_22_2004).

Walking further downstream we came upon a crew from Burns Drilling and Excavating who had set up an equipment staging area near the juncture of the intersection of the new access road with Bristoria Road. They indicated that they were performing this work for Consol Pa. The operator of the track excavator told me when I questioned him that it was difficult trying to get the proper equipment to the drilling site to plug the well and they performed the work that we had observed to allow access.

We intend to contact our Pittsburgh Office to determine if appropriate permits have been obtained for the observed encroachment and to initiate an appropriate action. We will participate in any action to the extent our brother agency requests.

Bailey Mine

CMAP 30841316

Tribs 32596 and 32542 surveys on 12/7/2006 by Mark Frederick, Compliance Manager
Richhill Township, Greene County

I examined trib 32596 from the mouth to the most downstream post mining spring that formed in the southern end of 2 I panel. From the mouth of the stream upstream to the Bristoria Road bridge dry conditions were noted in the stream. From the bridge upstream for a distance of approximately 120 feet water was pooled in several holes in the stream. The spring that developed following LW mining near the log cabin had no flow. From ~ 120 feet above the bridge to the southern end of the 3 I tailgate the stream was totally dry. Through the 3 I tailgate upstream to the newly formed spring in the 2 I panel that emerges from the east flank of the valley there was water flowing in the stream. The spring had an estimated flow of 3 gpm.

I noted the presence of two augmentation wells on the property. Power poles were in place but it appeared no power has been run to the wells. One well is in the 3 I and one in the 4 I panels.

The survey was confined to areas that are owned by Consol. I did not examine the property of Kim Jones in the 1 I panel. As I was leaving Consol's Bob Fedinetz and Ken Johnson, SSA Ben Dillie, and representatives from Hatch Mott-MacDonald, including Jeff Law, were entering the property to discuss stream remediation activities that are to begin this month. Ben told me of a diesel fuel spill that reached the South Fork from a CSI gas well plugging operation site. I chose to not stay for that discussion, instead going to the spill site.

By contrast I walked unnamed trib 32542 of Barney Run, a reference stream chosen by Consol, immediately prior to this survey. This stream had flow from the headwaters area to its mouth where Consol is constructing an airshaft.

Photos were taken of the streams and can be viewed at our stored on our 01 server under Digital Photos for the Bailey Mine.