

**REMEDIAL MEASURE LIST**  
**FRASURE CREEK AND ICG COAL DMR CASES**

- 1) Submit a Corrective Action Plan to the Cabinet by December 22, 2010 (FC) or January 15, 2011 (ICG), containing:
  - The procedures to ensure compliance with the monitoring, testing, recordkeeping, and DMR reporting requirements.
  - Monitor parameters in accordance with procedures approved under required methods.
  - Practices for ensuring DMRs contain complete and accurate information.
  - Procedures for providing prompt submittal of corrected DMR information when ever necessary.
  - A copy of the laboratory Standard Operating Procedures plan (SOP) and Quality Assurance/Quality Control protocols. Verify that contracted laboratory is following proper procedures and protocols.
  - A copy of a chain of custody form, bench sheet form, and maintenance, reagent, calibration and precipitation log forms that laboratory shall use; each form submitted shall include the following information, as appropriate:
    - i. The date, exact location, and time of sampling or measurements;
    - ii. identification of individual(s) who performed sampling or measurements;
    - iii. date analysis was performed;
    - iv. identification of individual(s) who performed analysis;
    - v. analytical technique or methods used; and
    - vi. The results of analysis.
- 2) Submit written DMR's for the 4<sup>th</sup> quarter of 2010 and associated bench sheets, custody forms and analytical data.
- 3) By December 22, 2010 (FC) or January 15, 2011 (ICG), provide the Cabinet with written notification of the responsible corporate officer or the duly authorized representative of such person that will be responsible for certifying DMRs.
- 4) By December 22, 2010 (FC) or January 15, 2011 (ICG), submit for review by the Cabinet, protocols to be used that are designed to assure that qualified personnel properly gather and evaluate monitoring data and other information submitted on DMRs.
- 5) At all times properly operate and maintain facilities and systems of treatment and comply with effluent limitations established under its KPDES permits.
- 6) Submit a Best Management Practices (BMP) plan to the Cabinet for review by December 22, 2010 (FC) or January 15, 2011 (ICG), identifying protocols used to ensure that best management practices are maintained as required by KPDES permits.
- 7) Comply with all permit conditions.
  - **Frasure Creek only** - identify measures to eliminate any potential substandard discharge(s) from the Frasure Creek LLC - West Lick Mine facility and to mitigate the impact to the receiving stream (Hurricane Branch).