

Oklahoma Department of Mines – Coal Division
Enforcement Actions for EY-2018 By Inspector
(July 1, 2017 thru June 30, 2018)

12/5/2018 10:06 AM

INSPECTOR MIKE DARNEAL:

Farrell-Cooper 12/17-4285F – Mike Darneal

NOV 18-31-01 TV2 issued 04/19/18.

1 of 2 – Failure to seal drill holes. **No off-site impact.**

460:20-15-7; 54-4.

2 of 2 – Failure to construct/maintain overland diversion. **No off-site impact.**

460:20-15-7; 45-8(a); 45-10(a)(1)(2); 45-11(a).

Abatement: 05/21/18.

Extended: 06/25/18.

Extended: 07/10/18.

Terminated: 07/09/18. 1 & 2 of 2; Maintenance completed.

Coal Creek 14/19-4246F – Mike Darneal

~~NOV 18-31-02 TV1 issued 05/24/18.~~

~~1 of 1 – Water monitoring (1stQ 2018) **No off-site impact.**~~

~~Abatement: After the fact.~~

~~Terminated: 05/31/18. Proof of service.~~

Vacated: 05/24/18. Permittee had provided extra samples.

COAL PROGRAM DIRECTOR RHONDA DOSSETT:

Eastern Oklahoma Quarries – 11/16-4272 – Justin Maxey/Rhonda Dossett

IHCO 18-17-01 TV1 issued 02/23/18. **OSI: Water/Mod/Hydrology**

1 of 1 – Effluent limitations. 460:20-43-9.

Abatement: Immediately take all necessary actions to cease or mitigate the discharge of acidic water from the permit. Submit plan **03/12/18**. Approval and implementation of the plan must be achieved by **04/01/18**.

Extended: 05/24/18.

Extended: 08/24/18. Over 90 days.

Extended: 09/24/18. Over 90 days.

Extended: 10/26/18. Over 90 days.

Extended: 01/31/19. Over 90 days.

Coal Creek 14/19-4246F – Rhonda Dossett/Mike Darneal

NOV 18-17-02 TV3 issued 08/21/18. **No off-site impact.**

1 of 3 – Failure to submit \$500 annual permit fee for 2015.

2 of 3 – Failure to submit \$500 annual permit fee for 2016.

3 of 3 – Failure to submit \$500 annual permit fee for 2017.

Abatement: 09/28/18.

Terminated: 08/23/18. Permit fees received \$1,500.00.

Coal Creek 14/19-4246F – Rhonda Dossett/Mike Darneal

~~NOV 18-17-03 TV2 issued 08/21/18. **No off-site impact.**~~

~~1 of 2 – Approved permit. Failure to pay civil penalty fee of \$1,500.00 for N16-31-01 TV1.~~

~~2 of 2 – Approved permit. Failure to pay civil penalty fee of \$700.00 for N18-31-02TV1.~~

~~Abatement: Civil penalty fees in the amount of \$2,200.00 must be submitted to ODM by~~

~~September 28, 2018. Meeting with Marusik 09/28/18.~~

Vacated: 08/21/18. Permittee has paid civil penalty fees for N16-31-01 TV1. N18-31-02 TV1 has been vacated so no civil penalty required.

Joshua Coal 15/20-4238 – Rhonda Dossett/Matt Moss

NOV 18-17-04 TV1 issued 09/13/18. **No off-site impact.**

1 of 1 – Failure to pay annual permit fee \$500.00.

Abatement: 10/12/18.

Terminated: 10/15/18. 1st payment received 10/11/18.

2nd payment received 11/10/18.

MATT MOSS:

Phoenix Coal 14/19-4287 – Matt Moss

NOV 18-28-01 TV1 – issued 09/17/18

1 of 1 – Approval for additional pond.

Abatement: 12/17/18. Submit revision and gain approval for pond.

Joshua Coal 15/20-4238 – Matt Moss

NOV 18-28-02 TV2 issued 11/21/18.

1 of 2 – Submit 3rd Quarter water monitoring.

Abatement: After-the-fact.

Terminated: 11/29/18 Proof of service.

~~2 of 2 – Submit 3rd Quarter pond impoundments.~~

Vacated: 11/28/18.

INSPECTOR KEVIN WOODY:

Farrell Cooper 14/19-4275F – Kevin Woody

NOV 18-21-01 TV4 issued 03/26/18. **No off-site impact 1, 2, 3 or 4 of 4.**

1 of 4 – Maintain sediment control structure to approved design.

460:20-15-7 (3); 43-11 (a) & (b); and 43-12 (C)(1)(f)(1) (2)(3)(6).

Modified: 09/11/18. Pond #3 issues included in NOV 18-21-10 TV1.

Terminated: 09/14/18.

2 of 4 – Stabilize surface area wind/water erosion.

460:20-43-34 and 43-43 (a) (b).

Terminated: 09/06/18.

3 of 4 – Construct/maintain perm stream culvert approved permit.

460:20-15-7 (3); 43-10 (a)(6); and 43-aa (a) (b).

Terminated: 07/31/18.

4 of 4 – Construct/maintain downdrains approved permit.

460:20-15-7 (2) (3) (5); and 43-11 (a)(3) (b)(2) (6).

Abatement: 04/26/18. 1, 2, 3, and 4 of 4.

Extended: 05/28/18. 1, 2, 3, and 4 of 4.

Extended: 06/22/18. **See FTA CO 18-21-02 TV1 issued 09/17/18.**

Terminated: 10/10/18.

Farrell Cooper 14/19-4275F – Kevin Woody

NOV 18-21-02 TV2 issued 04/10/18.

1 of 2 – Control/contain fugitive dust. **OSI: People/Min/Other**

46:20-15-7 (3) (5); 43-52 (b) (1)(3)(6); and 43-29 (a)(4).

Abatement: 05/08/18.

Modified: 04/24/18. Regulation cited and corrective action.

Terminated: 05/30/18.

2 of 2 – Blasting reports incomplete. **No off-site impact.**

460:20-15-7 (3); 43-18 (a) (b)(3); 43-23.

Abatement: After-the-Fact.

Terminated: 05/13/18. Proof of receipt.

Brazil Creek 18/23-4254F – Kevin Woody

IHCO 18-21-01 TV1 issued 04/16/18. **OSI: Water/Major/Hydro**

1 of 1 – Disturbance of hydrologic balance and material outside permit area.

460:20-15-7; 43-11 (a)(1); 43-8 (a)(d).

Abatement: 06/01/18.

Terminated: 05/08/18.

Brazil Creek 18/23-4254F - Kevin Woody

NOV 18-21-03 TV3 issued 04/18/18. OSI: **No off-site impact 1, 2 or 3 of 3.**

2 of 3 – Construct/Maintain haul road #5 approved design.

Abatement: 05/21/18.

Extended: 07/09/18. (See FTA CO18-21-03 below.)

Farrell Cooper 16/21-4293F – Kevin Woody

NOV 18-21-04 TV6 issued 04/25/18.

1 of 6 – Construct/Maintain sediment pond (#4) approved design. **OSI: Water/Mod/Other Terminated: 09/06/18.**

2 of 6 – State/Fed water quality standards (Ponds 4 & 5 discharge). **OSI: Water/Min/Other Terminated: 05/14/18.**

3 of 6 – Constr/Main diversion approved design. **No off-site impact.**

4 of 6 – Approved permit. Expl. Storage location / NC waste area. **No off-site impact.**

5 of 6 – Construct/Main approved coal pad sediment trap. **OSI: Water/Min/Other**

6 of 6 – Salvage, segregate, store and protect topsoil. **No off-site impact.**

Terminated: 09/06/18.

Abatement: 06/01/18. (Parts 1, 3, 4, and 6)

Abatement: 05/09/18. (Parts 2 & 5)

Extended: 07/16/18. (Parts 3, 4, 5 & 6). Over 90.

Extended: 10/19/18. (Parts 3, 4, 5) Over 90.

Terminated: 10/31/18. Parts 3,4,5 of 6. Rev 2005F was approved.

Brazil Creek 18/23-4254F – Kevin Woody

NOV 18-21-05 TV1 issued 05/01/18. **OSI: Water-Mod-Other**

1 of 1 – State & Federal water quality standards. Effluent limitations.

Abatement: After-the-fact.

Terminated: 05/04/18.

Farrell Cooper 16/21-4293F – Kevin Woody

NOV 18-21-06 TV1 issued 05/04/18. **OSI: Water-Min-Hydro**

1 of 1 – Failure to pass. 460:20-15-7(3) & (5); 43-12(b)(2).

Abatement: Operator must ceased all operations immediately.

Pond #3 must be constructed and certified by 05/14/18.

Modified: 05/17/18; Extended: 06/15/18.

Extended: 07/16/18.

Terminated: 10/05/18.

Georges Colliers, Inc. 15/20-4243F – Kevin Woody

NOV 18-21-07 TV2 issued 06/04/18. **No off-Site Impact 1 or 2 of 2.**

1 of 2 – Construct & Maintain diversion (DC-6).

2 of 2 – Approved permit. (Scale house; HR; waste; supply yard; sewage lagoon; equipment.)

Abatement: 07/09/18.

Extended: 07/23/18.

1 of 2 terminated: 07/24/18.

2 of 2 terminated: 10/01/18. Rev 2009F approved.

Farrell Cooper 16/21-4293F – Kevin Woody

NOV 18-21-08 TV2 issued 06/19/18. **No off-Site Impact 1 or 2 of 2.**

1 of 2 – Water monitoring reports. 460:20-15-7(3) & 43-8(e)(2)(3).

Abatement: 1 of 2 – After the Fact.

Terminated: 06/21/18. Proof of service.

2 of 2 – Accurate pond/impoundment inspection reports. 460:20-15-7(3); 43-12; 43-14.

Abatement: 2 of 2 – 06/30/18

Terminated: 08/09/18.

Farrell Cooper 16/21-4293F – Kevin Woody

NOV 18-21-09 TV1 issued 09/07/18. **No off-Site Impact 1 or 2 of 2.**

1 of 1 – Water quality standards (Effluent). Ponds 4 & 5 spillway. 460:20-15-7(2)(3); 43-9.

Abatement: 09/17/18.

Modified: 11/06/18. Treat water/watershed; submit plan detailing solution.

Extended: 11/26/10.

Farrell Cooper 14/19-4275F – Kevin Woody

NOV 18-21-10 TV1 issued 09/07/18. **No off-Site Impact 1 or 2 of 2.**

1 of 1 – Water quality standards (Effluent). Pond #3 460:20-15-7(2)(3); 43-9.

Abatement: 09/17/18.

Modified: Clean out Pond #3/Reconstruct/Seed.

Extended: 10/10/18.

Farrell Cooper 16/21-4293F – Kevin Woody

NOV 18-21-11 TV5 issued 11/08/18.

1 of 5 – Approved hydrology plan (E of Pond 3). **OSI: Land-Encroach-Min**

Modified Abatement date: 11/30/18.

2 of 5 – Stabilize surface areas. **No off-site impact.**

Abatement: 11/26/18.

3 of 5 – Stabilize topsoil stockpiles from wind and water erosion. **No off-site impact.**

Abatement: 11/26/18.

4 of 5 – Blasting operations. **No off-site impact.**

Modified Abatement date: 11/30/18.

5 of 5 – Construct/maintain Haul Road #1. **No off-site impact.**

Abatement: 11/26/18.

All parts extended until: 12/31/18. Due to weather related issues.

Farrell Cooper 14/19-4275F – Kevin Woody

FTA CO 18-21-02 TV1 issued 09/17/18. NOV 18-21-01 TV4 (4 of 4)

1 of 1 – Construct/maintain downdrains approved permit.

Abatement: Complete immediately.

Terminated: 10/10/18.

Brazil Creek 18/23-4254F - Kevin Woody

NOV18-21-12 TV2 issued 11/13/18. OSI: **No off-site impact 1 or 2 of 2.**

1 of 2 – Stabilize and segregate topsoil stockpiles.

Extended: 12/30/18. Weather.

2 of 2 – Approved permit (non-coal waste).

Abatement: 11/30/18.

Terminated: 11/29/18.

Inspector Justin Maxey:

Farrell-Cooper 15/20-4280 – Justin Maxey

NOV 18-32-01 TV2 issued 06/08/18. **No off-site impact 1 of 2 of 2.**

1 of 2 – Maintain diversion approved design. 460:20-43-10 (a)(2).

2 of 2 - Maintain siltation structures approved design. 460:20-43-12 (b)(4); (b)(5).

Abatement: 07/06/18.

Terminated: 07/23/18.

FTA CO 18-32-01 TV2 issued 06/08/18.

1 of 2 – Reconstruct and maintain diversion to approved design. 460:20-43-10 (a)(2).

2 of 2 - Maintain spillways to permitted design. 460:20-43-12 (b)(4); (b)(5).

Terminated: 07/23/18.

Farrell-Cooper 15/20-4274 – Justin Maxey

NOV 18-32-02 TV3 issued 07/11/18. **No off-site impact 1, 2 or 3 of 3.**

1 of 3 – Topsoil protection. 460:20-43-7 ©(2)(C)

2 of 3 – Maintain ID signs and markers. 460:20-43-3(a)(1)

Terminated: 08/20/18.

3 of 3 – Stabilize surface areas. 460:30-43-34.

Abatement: 08/13/18.

Extended: 09/14/18. (1 & 3 of 3)

FTA CO 18-32-02 TV2 issued 09/18/18.

1 of 2 – Failure to protect topsoil.

2 of 2 – Failure to stabilize surface areas.

Abatement: Remediate erosion, revegetate, and maintain.

Farrell-Cooper 15/20-4280 – Justin Maxey

NOV 18-32-03 TV1 issued 08/10/18. **No off-site impact 1 of 2 of 2.**

1 of 1 – Maintain SP-1 to approved design. 460:20-43-12 (c)(1)(C).

Abatement: 09/14/18.

Terminated: 09/19/18.

~~FTA CO 18-32-03 TV1 issued 09/18/18.~~

~~1 of 1 – Failure to maintain SP-1.~~

~~Abatement: Reconstruct/maintain/certify SP-1 according to approved design.~~

~~Vacated: 09/21/18.~~

Farrell-Cooper 12/17-4262F – Justin Maxey

NOV 18-32-04 TV2 issued 8/29/18. **No off-site impact 1 of 2 of 2.**

1 of 2 – Maintain diversion approved design (DD-4). 460:20-43-10 (a)(2).

2 of 2 - Maintain siltation structures approved design. 460:20-43-12 (b)(4); (b)(5).

Abatement: 09/28/18.

Extended: 10/26/18.

Extended: 11/23/18.

Terminated: 11/27/18.

Farrell-Cooper 17/22-4268 – Justin Maxey

NOV 18-32-05 TV2 issued 08/29/18. **No off-site impact 1 of 2 of 2.**

1 of 2 – Topsoil markers. 460:20-43-3 (a)(b)(f).

Terminated: 10/10/18.

2 of 2 - Maintain siltation structures approved design (IMP 10). 460:20-43-12 (b)(4); (b)(5).

Abatement: 10/01/18.

Extended: 10/31/18.

Extended: 11/30/18.

Extended: 02/28/19. Over 90 days. Submit revision and gain approval ODM Tech Services.