

Oklahoma Department of Mines – Coal Division
Enforcement Actions for 2014 By Inspector

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INSPECTOR DOUG CROSS:

Phoenix Coal 13/18-4270 – Doug Cross

NOV 14-20-01 TV2 issued 01/03/14.

1 of 2 – Disturbance within 50 ft. of buffer zone. **OSI: Encroachment-Land-Minor**

Abatement: 01/28/14.

Extended: 02/18/14.

Terminated: 01/30/14.

2 of 2 – Pass surface drainage. **OSI: Encroachment-Land-Minor**

Abatement: After-the-fact.

Terminated: 01/06/14.

Phoenix Coal 13/18-4270 – Doug Cross

NOV 14-20-02 TV1 issued 01/30/14.

1 of 1 – Follow approved mine plan. (unauthorized final pit) **OSI: Encroachment-Land-Minor**

Abatement: 05/01/14.

Extended: 07/01/14. Over 90 days. Rev 1948.

Terminated: 06/26/14.

Phoenix Coal 09/14-4282 – Doug Cross

NOV 14-20-03 TV1 issued 02/12/14.

1 of 1 – Approved mine plan. **No off-site impact.**

Abatement: 05/01/14.

Extended: 07/01/14. Over 90 days.

Extended: 09/01/14. Over 90 days.

Terminated: 08/28/14.

Phoenix Coal 08/13-4194 – Doug Cross

NOV 14-20-04 TV1 issued 02/21/14. **No off-site impact.**

1 of 1 – Approved mine plan. (Pond 72 and 101 as-built design).

Abatement: 05/21/14.

Extended: 07/21/14. Over 90 days.

Extended: 09/25/14. Over 90 days.

Terminated: 08/04/14.

Farrell Cooper 13/18-4285F – Doug Cross

NOV 14-20-05 TV1 issued 03/25/14. **No off-site impact.**

1 of 1 – Permanent vegetation along stream channel relocation #1.

Abatement: 06/25/14. 90 Day Limit.

Extended: 09/25/14. Over 90 days.

Terminated: 09/26/14.

Phoenix Coal 10/15-4283 – Doug Cross

NOV 14-20-06 TV1 issued 07/01/14. **No off-site impact.**

1 of 1 – Stabilize rills and gullies.

Abatement: 07/31/14.

Terminated: 07/08/14.

Phoenix Coal 14/19-4287 – Doug Cross

NOV 14-20-07 TV1 issued 07/01/14. **No off-site impact.**

1 of 1 – Certify haul road HR-20.

Abatement: 09/02/14.

Extended: 10/01/14.

Extended: 11/25/14.

Extended: 12/14/14.

Terminated: 01/20/15.

Explosive Contractors LT 14-001 – Doug Cross

NOV14-008-08 TV1 issued 07/03/14. **No off-site impact.**

1 of 1 – Post code of blasting signals at one or more conspicuous places at the operation.

Abatement: Sign to be posted prior to the next blast.

Terminated: 07/07/14.

Phoenix Coal 14/19-4287 – Doug Cross

NOV 14-20-09 TV1 issued 07/31/14. **No off-site impact.**

1 of 1 – Exceeding the air-blast limits.

Abatement: After-the-fact.

Terminated: 08/06/14.

Mineral Solutions LE-1732 – Doug Cross

NOV 14-20-10 TV1 issued 08/15/14. **No off-site impact.**

1 of 1 – Submit surface and groundwater monitoring reports.

Abatement: 09/15/14.

Terminated: 08/25/14.

INSPECTOR RHONDA DOSSETT:

Bluebird Construction Company – No Permit – Rhonda Dossett

IHCO 14-17-01 TV1 issued 02/25/14.

1 of 1 – Mining coal without a permit from regulatory authority. **OSI: Land Stability-Land-Minor**

Abatement: 04/15/14.

Modified: 04/11/14.

Abatement: 05/15/14.

Extended: 06/16/14. Over 90 days.

Extended: 07/07/14. Over 90 days.

Extended: 07/17/14. Over 90 days.

Extended: 08/18/14. Over 90 days. Reseeded.

Extended: 10/01/14. Over 90 days. Establish vegetation.

Extended: 03/30/15. Over 90 days. Establish vegetation.

Extended: 05/29/15. Over 90 days. Establish vegetation.

INSPECTOR BEN ELLIS:

Farrell-Cooper 12/17-4262F - Ben Ellis

NOV 14-29-01 TV1 issued 01/10/14. **No off-site impact.**

1 of 1 – Maintain sediment control structure.

Abatement: 02/25/14.

Extended: 04/18/14.

Extended: 05/18/14. Over 90 days.

Extended: 06/18/14. Over 90 days.

Extended: 07/18/14. Over 90 days.

Terminated: 07/08/14.

Farrell-Cooper 09/14-4275F - Ben Ellis

NOV 14-29-02 TV3 issued 03/05/14. **No off-site impact.**

1 of 3 – Blasting operations; approved permit.

Abatement: After-the-fact.

Terminated: 03/10/14.

2 of 3 – Mine plan; unapproved haul road.

Abatement: 04/07/14.

Extended: 06/05/14.

Extended: 07/05/14. Over 90 days.

Extended: 08/08/14. Over 90 days.

Extended: 09/08/14. Over 90 days.

Extended: 10/08/14. Over 90 days.

Terminated: 10/28/14.

3 of 3 – Mine plan; unapproved haul road south of active mine.

Abatement: 04/07/14.

Extended: 06/05/14.

Extended: 07/05/14. Over 90 days.

Extended: 08/08/14. Over 90 days.

Extended: 09/08/14. Over 90 days.

Terminated: 09/16/14.

Farrell-Cooper 14/19-4275F - Ben Ellis

NOV 14-29-03 TV1 issued 06/30/14. **OSI: Hydrology-Water-Minor.**

1 of 3 – Effluent limitations (So. of Pond 4).

Abatement: After-the-fact.

Terminated: 07/07/14.

Farrell-Cooper 14/19-4275F - Ben Ellis

NOV 14-29-04 TV1 issued 09/03/14. **No off-site impact.**

1 of 1 – Maintain sediment control structure (Pond 4).

Abatement: 10/06/14.

Extended: 11/06/14.

Extended: 12/03/14.

Extended: 01/05/15. Revision #1968 under review.

Extended: 02/05/15. Over 90 days.

Extended: 03/05/15. Over 90 days.

Extended: 04/06/15. Over 90 days.

Cavanal Minerals 13/18-4269F – Ben Ellis

NOV 14-29-05 TV1 issued 09/19/14. **No off-site impact.**

1 of 1 – 1st and 2nd quarter pond/impoundment reports for 2014.

Abatement: After-the-fact.

Terminated: 09/24/14.

INSPECTOR MATT MOSS:

Phoenix Coal 04/09-4273 – Matt Moss

NOV 14-28-01 TV2 issued 01/22/14. **No off-site impact.**

1 of 2 – Signs and markers.

Abatement: 04/23/14.

Terminated: 04/04/14.

2 of 2 – Post mining land-use permit conditions (oil well sites). **No off-site impact.**

Abatement: After-the-fact.

Terminated: 01/28/14.

Phoenix Coal 04/09-4264 – Matt Moss

NOV 14-28-02 TV2 issued 01/22/14. **No off-site impact.**

1 of 2 – Signs and markers.

Abatement: 04/23/14.

Terminated: 02/24/14.

2 of 2 - Approved permit (cattle grazing). **No off-site impact.**

Abatement: 02/23/14.

Extended: 03/23/14.

Extended: 04/23/14.

Terminated: 04/10/14.

Phoenix Coal 11/16-4286 – Matt Moss

NOV14-28-03 TV2 issued 02/03/14.

1 of 2 – Permit conditions (crossings 12-1 and 12-2). **OSI: Encroachment-Land-Minor**

Abatement: 05/05/14.

Extended: 08/08/14. Over 90 days.

Extended: 11/07/14. Over 90 days.

Extended: 02/07/15. Over 90 days. Revision #1952 under review.

Terminated: 01/13/15.

2 of 2 – Certify Impoundments. **No off-site impact.**

Abatement: 05/05/14.

Extended: 08/08/14. Over 90 days.

Extended: 11/07/14. Over 90 days.

Extended: 02/07/15. Over 90 days. Revision #1952 under review.

Terminated: 01/13/15.

Brazil Creek 13/18-4254F – Matt Moss

NOV14-28-04 TV1 issued 02/25/14. **No off-site impact.**

1 of 1 – Quarterly impoundment inspection reports.

Abatement: After-the-fact.

Terminated: 03/04/14.

Farrell Cooper 12/17-4268 – Matt Moss

NOV14-28-05 TV1 issued 02/25/14. **No off-site impact.**

1 of 1 – Approved permit. (Unapproved pond Eakle property).

Abatement: 05/26/14.

Abatement: 08/26/14. Over 90 days.

Extended: 11/26/14. Over 90 days.

Terminated: 11/26/14.

Farrell Cooper 11/16-4272 – Matt Moss

NOV14-28-06 TV1 issued 03/21/14. **OSI: Hydrology-Water-Minor**

1 of 1 – Effluent limitations. (Pond 1 discharging effluent).

Abatement: 03/28/14.

Terminated: 03/28/14.

Phoenix Coal 04/09-4273 – Matt Moss

NOV 14-28-07 TV1 issued 06/02/14. **No off-site impact.**

1 of 1 – Establish permanent vegetation.

Abatement: 06/11/14.

Extended: 06/20/14.

Terminated: 06/13/14.

INSPECTOR KEVIN WOODY:

Farrell-Cooper 05/10-4274 – Kevin Woody

NOV 10-21-01 TV1 issued 02/24/10. **No off-site impact.**

1 of 1 – Reclaim in a contemporaneous manner. Abatement: 05/25/10.

Extended: 08/04/10. Operator submitted Recl. Schedule 05/26/10.

Extended: 10/15/10. Reclamation is on-going.

Extended: 12/15/10. As per reclamation agreement.

Extended: 02/28/11. As per reclamation agreement.

Extended: 06/15/11. As per reclamation agreement.

Extended: 07/08/11. **Rev 1874. Submitted 08/01/11. Add coal reserves.**

Extended: 10/14/11. Rev 1874 under review.

Extended: 11/30/11. Rev 1874 under review.

Extended: 12/15/11. Rev 1874 under review.

Extended: 02/23/12. Rev 1874 under review.

Extended: 02/23/12. Rev 1874 under review.

Extended: 03/28/12. Rev 1874 under review. (*)

Extended: 06/29/12. Rev 1874 under review.

Extended: 08/30/12. Rev 1874 under review.

Extended: 10/15/12. Rev 1874 under review.

Extended: 01/15/13. Rev 1874 under review.

Extended: 03/15/13. Rev 1874 under review.

Extended: 04/15/13. **Rev 1874 was approved 03/08/13.**

Extended: 07/12/13. Litigation in process. Federal NOV11-030-370-001 TV1.

Extended: 10/17/13. Litigation in process. Federal NOV11-030-370-001 TV1.

Extended: 01/13/14. Litigation in process. Federal NOV 11-030-370-001 TV1.

Extended: 03/13/14. Litigation in process. Federal NOV 11-030-370-001 TV1.

Extended: 06/11/14. Litigation in process. Federal NOV 11-030-370-001 TV1.

Extended: 09/09/14. Litigation in process. Federal NOV 11-030-370-001 TV1.

Extended: 11/18/24. Judge Pearlson vacated Federal NOV 11-030-370-001 TV1

Reclamation on site will need to be completed.

Extended: 02/18/15.

Vacated: 03/02/15.

~~Bluebird Construction Company – No Permit – Kevin Woody~~

~~NOV 14-21-01 TV1 issued 02/07/14.~~

~~1 of 1 – Mining without a permit from the regulatory authority.~~

~~Abatement: 03/12/14. Corrective action: Production fees must be paid.~~

~~Vacated: 02/12/14.~~

~~NOV was replaced with an Imminent Harm CO 14-17-01 TV1 issued by Rhonda Dossett.~~

Farrell-Cooper 10/15-4274 – Kevin Woody

NOV 14-21-02 TV2 issued 02/28/14.

1 of 2 – Properly salvage topsoil. **No off-site impact.**

Abatement: 03/24/14.

Extended: 04/09/14.

Extended: 05/24/14. Over 90 days.

Extended: 06/30/14. Over 90 days.

Terminated: 07/10/14.

2 of 2 – Sediment control structure. Pond 43 spillway. **No off-site impact.**

Abatement: 03/24/14.

Extended: 04/09/14.

Extended: 05/24/14. Over 90 days.

Terminated: 05/30/14.

Georges Colliers, Inc. 10/15-4243F – Kevin Woody

NOV 14-21-03 TV1 issued 03/04/14. **OSI: Land-Mod-Other; Water-Min-Other**

1 of 1 – Limit disturbance to approved areas.

Abatement: 04/08/14.

Extended: 05/19/14.

Terminated: 05/21/14.

Farrell-Cooper 10/11-4280 – Kevin Woody

NOV 14-21-04 TV1 issued 03/14/14. **No off-site impact.**

1 of 1 – Mine identification signs.

Abatement: 03/24/14.

Terminated: 03/20/14.

Georges Colliers, Inc. 13/18-4289 – Kevin Woody

NOV 14-21-05 TV2 issued 03/17/14. **No off-site impact. (1 or 2 of 2)**

1 of 2 – Submit surface water monitoring reports.

Terminated: 03/18/14.

2 of 2 – Submit groundwater monitoring reports.

Terminated: 03/18/14.

Ouro Mining, Inc. 02/07-4258F – Kevin Woody

NOV 14-21-06 TV2 issued 03/17/14. **No off-site impact. (1 or 2 of 2)**

1 of 2 – Submit surface water monitoring reports.

~~2 of 2 – Submit groundwater monitoring reports.~~ **Vacated: 04/18/14. (Part 2 of 2 only.)**

Abatement: After-the fact violations.

Terminated: 03/19/14. (1 and 2 of 2).

Ouro Mining, Inc. 13/18-4263F – Kevin Woody

NOV 14-21-07 TV2 issued 03/17/14. **No off-site impact. (1 or 2 of 2)**

1 of 2 – Submit surface water monitoring reports.

~~2 of 2 – Submit groundwater monitoring reports.~~ **Vacated: 04/28/14. (Part 2 of 2 only.)**

Abatement: After-the fact violations.

Terminated: 03/19/14.

Ouro Mining, Inc. 08/13-4258F – Kevin Woody

NOV 14-21-08 TV2 issued 03/17/14. **No off-site impact. (1 or 2 of 2)**

1 of 2 – Submit surface water monitoring reports.

~~2 of 2 – Submit groundwater monitoring reports.~~ **Vacated: 04/28/14. (Part 2 of 2 only.)**

Abatement: After-the fact violations.

Terminated: 03/19/14.

Farrell-Cooper 10/15-4274 – Kevin Woody

IH CO 14-21-01 TV1 issued 03/21/14. **OSI: Hydro-Water-Major**

1 of 1 – Minimize hydrologic balance outside permit area.

Abatement: Immediately cease pumping water from the pit.

Obtain modified DEQ permit prior to resuming pumping of the pit.

Terminated 05/02/14.

Georges Colliers, Inc. 10/15-4243F – Kevin Woody

NOV 14-21-09 TV2 issued 03/17/14. **No off-site impact. (1 or 2 of 2)**

1 of 2 – Submit surface water monitoring reports.

Abatement: After-the fact violations.

Terminated: 03/18/14.

2 of 2 – Submit groundwater monitoring reports.

Abatement: After-the fact violations.

Terminated: 03/18/14.

Farrell-Cooper 10/15-4274 – Kevin Woody

NOV 14-21-10 TV2 issued 05/02/14.

1 of 2 – Properly to stabilize topsoil stockpiles. **No off-site impact.**

Abatement: 05/30/14.

Extended: 06/27/14. Wet ground conditions.

Terminated: 06/18/14.

2 of 2 – Maintain silt fences to provide sediment control. **No off-site impact.**
Abatement: 05/16/14.
Extended: 06/13/14. Wet conditions.
Terminated: 06/18/14.

Ouro Mining, Inc. 10/15-4266F – Kevin Woody
NOV 14-21-11 TV2 issued 08/20/14. **No off-site impact.**
1 of 2 – Maintain sediment control structure.
Abatement: 09/22/14.
Terminated: 09/15/14.

Farrell-Cooper 10/15-4274 – Kevin Woody
NOV 14-21-12 TV2 issued 10/31/14.
1 of 2 – Construct and maintain diversion DD-44. **No off-site impact.**
Abatement: 11/27/14.
Extended: 12/30/14.
Extended: 01/31/15.
Extended: 03/30/15. Over 90 days. Revision #1963 under review.
Terminated: 03/31/15. Revision #1963 approved 03/31/15.
2 of 2 – Approved hydrology plan. **No off-site impact.**
Abatement: 11/13/14.
Extended: 12/30/14.
Extended: 01/31/15.
Extended: 03/30/15. Over 90 days. Revision #1963 under review.
Terminated: 03/31/15. Revision #1963 approved 03/31/15.

Farrell-Cooper 10/15-4274 – Kevin Woody
NOV 14-21-13 TV1 issued 11/26/14.
1 of 1 – Properly to stabilize topsoil stockpiles. **No off-site impact.**
Abatement: 12/30/14.
Extended: 01/30/15.
Terminated: 01/14/15.

Georges Colliers, Inc. 10/15-4243F – Kevin Woody
NOV 14-21-14 TV2 issued 11/26/14. **OSI: Hydrology-Mod-Water.**
1 of 2 – Coal mine waste.
Abatement: 12/05/14.
Terminated: 03/18/14.