

Oklahoma Department of Mines – Coal Division
Enforcement Actions for EY-2018 By Inspector
(July 1, 2018 thru June 30, 2019)

4/17/2019 11:08 AM

INSPECTOR MIKE DARNEAL:

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.

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

NOV 18-31-03 TV1 issued 11/21/18. **No off-site impact.**

1 of 1 – Construct/Maintain overland flow diversion.

Abatement: 01/21/19.

Terminated: 12/21/18.

Coal Creek 14/19-4246F – Mike Darneal

~~NOV 18-31-04 TV1 issued 11/21/18.~~

~~1 of 1 – General liability insurance. **No off-site impact.**~~

Vacated: 11/26/18. Effective date of insurance was 10/23/18.

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; Extended: 09/24/18; Extended: 10/26/18.

Extended: 12/10/18; Extended: 01/10/19.

FTACO 19-32-01 TV1 issued 01/24/19. – Justin Maxey

1 of 1 - Failure to abate IHCO 18-17-01.

Abatement: See abatement for IHCO.

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 paid civil penalty fees on 09/28/18.

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.

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.

Extended: 03/18/19. R2016 is under review.

Extended: 05/17/19. R2016 is under review.

Terminated: 04/09/19. R2016 has been approved. Pond remains permanent.

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.

Phoenix Coal 17/22-4290 – Matt Moss

NOV 19-28-01 TV1 – issued 04/02/19.

1 of 1 – Approved permit. (Incidental drainage flow; Ponds 109, 111, 112 + berms.)

Abatement: 06/28/19. Modified Abatement: 04/08/19. Violation to include unapproved imp constructed in the pit 145 area of approved mine plan. Operator must reclaim imp area to approved post-mining contours; or operator must submit/obtain approval of revision allowing imp to remain as permanent.

INSPECTOR KEVIN WOODY:

Brazil Creek 18/23-4254F - Kevin Woody

NOV18-21-03 TV3; 2 of 3 issued 04/18/18.

2 of 3 – Construct/Maintain Haul Road #5. **OSI: None.**

Abatement: 07/06/18. **Terminated: 02/12/19.**

FTA CO18-21-023 TV1 issued 11/13/18.

1 of 1 – Construct/Maintain Haul Road #5.

Modified: 11/18/18. CO# should be 18-21-03.

Terminated: 02/12/19.

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. Ponds 4 & 5 spillway.

Abatement: 09/17/18; Modified: 11/06/18. Treat water/watershed; submit detailed plan.

Extended: 11/26/18; Extended: 01/15/19; Extended: 04/01/19. Over 90 days.

Extended: 05/15/19. Over 90 days.

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

Abatement: 09/17/18. Modified: Clean out Pond #3/Reconstruct/Seed.

Extended: 05/13/19. Over 90 day.

FTA CO 18-21-04 TV1 issued 12/17/18.

Vacated: 12/17/18. Water sampling by FCMC reflects compliance at the time CO issued.

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**

Terminated: 01/29/19.

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

Abatement: 11/26/18. **Terminated: 01/10/2019.**

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

Abatement: 11/26/18. **Terminated: 12/12/18.**

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

Modified Abatement date: 11/30/18. **Terminated: 12/12/18.**

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

Abatement: 11/26/18; Extended: 12/31/18. 5 of 5. **Terminated: 02/11/19.**

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) **No off-site impact.**

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. **Terminated: 01/10/19.**
2 of 2 – Approved permit (non-coal waste).
Abatement: 11/30/18. **Terminated: 11/29/18.**

Farrell Cooper 14/19-4275F – Kevin Woody

~~FTA CO 18-21-04 TV1 issued 12/17/18. NOV 18-21-10 TV1 (1 of 1)~~
~~1 of 1 – Effluent discharges.~~
Abatement: Clean out pond/reconstruct/reseed.
Vacated: 02/12/19.

Farrell Cooper 16/21-4293F – Kevin Woody

NOV 18-21-13 TV3 issued 12/17/18. OSI: **Water-Other-Min; (1, 2 & 3 of 3)**
1 of 3 – Constr/Maintain approved coal pad sediment trap.
Abatement: 01/10/19. **Terminated: 01/20/19.**
2 of 3 - State/Federal water quality standards.
Abatement: 12/28/18. **Terminated: 02/07/18.**
3 of 3 – Collect water samples on a quarterly basis submit to ODM.
Abatement: 01/15/19. **Terminated: 02/27/19.** Pond data was submitted 02/26/19.

Ouro 15/20-4266F – Kevin Woody

~~NOV 19-21-01 TV1 issued 03/01/19. OSI: **No off-site impact.**~~
~~1 of 1 – Maintain ground water wells.~~
Abatement: 03/30/19. **Vacated: 03/19/19.**

Farrell Cooper 14/19-4275F – Kevin Woody

NOV 19-21-02 TV7 issued 03/06/19.
1 of 7 – Failure to pass (ESE of Pond 8). OSI: **Land-Min-Land Stab & Land-Min-Encr.**
Terminated: 04/03/19.
2 of 7 – Constr/maint HR 3; HR 8; HR 10. **No off-site impact.**
3 of 7 – Constr/maint sed contr struct (spillway Pond 4). OSI: **Land-Min-Encr**
Terminated: 04/03/19.
4 of 7 - Constr/maint diversion DD-13. OSI: **No off-site impact.**
5 of 7 – Stabilize surface areas. **No off-site impact.**
6 of 7 – Signs and markers. **No off-site impact.**
Terminated: 04/03/19.
7 of 7 – Disturbance off the permit area. OSI: **No off-site impact.**
Abatement: 04/03/2019.
Extended: 05/15/19. Parts 2, 4, 5 and 7.

Inspector Justin Maxey:

Farrell-Cooper 15/20-4280 – Justin Maxey

NOV 18-32-01 TV2 issued 06/08/18. **OSI: None.**

1 of 2 – Maintain diversion to approved design. NE SP-5

2 of 2 – Maintain siltation structures. Spillway of SP-4 & SP-5.

Abatement: 07/06/18. Reconstruction/maintain diversion berm.

Terminated: 07/11/18.

FTA CO 18-32-01 TV2 issued 07/11/18.

1 of 2 - Maintain diversion to approved design. NE SP-5.

2 of 2 – Maintain siltation structures. Spillway of SP-4 & SP-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.

2 of 3 – Maintain ID signs and markers. **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.

Terminated: 11/13/18.

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. R2018 under review. Response due 03/08/19.

Extended: 05/29/19.

Eastern OK Quarries 16/21-4272 – Justin Maxey

NOV 18-32-06 TV1 issued 12/28/18. **No off-site impact.**

1 of 1 - Culverts along main haul road to approved design.

Abatement: 03/29/19.

Terminated: 02/11/19.

Eastern OK Quarries 16/21-4272 – Justin Maxey

NOV 19-32-01 TV1 issued 01/07/19. **OSI: Water-Hydo-Min.**

1 of 1 - State and Federal water quality standards.

Modified: 03/28/19.

Abatement: After-the-fact.

Terminated 03/38/19.

Farrell-Cooper 17/22-4268 – Justin Maxey

~~NOV 19-32-02 TV1 issued 01/14/19. **No off-site impact.**~~

~~1 of 1 – Pond certification for SP-37.~~

~~Abatement: 04/12/19.~~

Vacated: 02/12/19.

Farrell-Cooper 14/19-4279 – Justin Maxey

NOV 19-32-03 TV1 issued 01/16/19. **OSI: None.**

1 of 1 – Federal violation N12-030-246-001 TV1 is being vacated.

Farrell Cooper needs to provide an updated reclamation plan.

Abatement: 04/16/19.

Farrell-Cooper 15/20-4274 – Justin Maxey

NOV 19-32-04 TV2 issued 02/01/19. **OSI: None. 1 or 2 of 2.**

1 of 2 – Updated reclamation plan.

Abatement: 05/01/19.

2 of 2 – Signs and markers. **OSI: None.**

Terminated: 03/01/19.

Eastern OK Quarries 16/21-4272 – Justin Maxey

NOV 19-32-05 TV1 issued 02/25/19. **OSI: Hydro-Min-Water.**

1 of 1 - State and Federal water quality standards.

Abatement: After-the-fact. **Terminated 03/01/19. Proof of service.**

Georges Colliers, Inc. – Justin Maxey

IHCO 19-32-02 TV1 issued 03/19/18. **OSI: Hydro-Mod-Water.**

1 of 1 – Discharging of acidic water from seep to a creek leading off permit area.

Abatement: 03/25/19. **Terminated: 03/25/19.**

Farrell Cooper 15/20-4280 – Justin Maxey

NOV 19-32-06 TV1 issued 03/21/18. **OSI: None.**

1 of 1 – Maintain culvert according to approved design.

Abatement: 06/18/19.