

Oklahoma Department of Mines – Coal Division
Enforcement Actions for Calendar Year 2011 By Inspector

12/29/2011

Phoenix Coal 10/15-4283 – Doug Cross

NOV 11-20-03 TV1 issued 04/28/11. **OSI: No off-site impact.**

1 of 1 – Failure to certify Pond #55 built to design.

Abatement: 06/01/11.

Extended: 06/21/11. Additional time Pond #55.

Extended: 07/28/11. As-built design submitted.

Extended: 08/28/11. As-built design submitted. R#1870.

Extended: 09/28/11. As-built design submitted. R#1870.

Extended: 11/01/11. As-built design submitted. R#1870.

Extended: 12/01/11. Rev 1870 under review.

Extended: 01/03/12. Rev 1870 under review.

Phoenix Coal 10/15-4283 – Doug Cross

NOV 11-20-04 TV1 issued 05/18/11. **OSI: No off-site impact (1 & 2 OF 2).**

1 of 2 – Failure to follow approved mine plan Pond #53/Berm 53N.

Abatement: 08/17/11.

Extended: 09/26/11. Rev 1870 under review.

Extended: 11/01/11. Rev 1870 under review.

Extended: 12/01/11. Rev 1870 under review.

Extended: 01/03/12. Rev 1870 under review.

2 of 2 – Failure to conduct 3 & 4th quarter pond imp inspections.

After-the-fact. Terminated: 05/20/11.

Phoenix Coal 09/14-4282 – Doug Cross

NOV 11-20-07 TV1 issued 06/01/11. **OSI: No off-site impact.**

1 of 1 – Failure to certify sediment pond 42 built to approved design.

Abatement: 06/29/11.

Extended: 07/28/11.

Extended: 09/01/11.

Extended: 10/01/11. Over 90 days. Time to submit revision.

Extended: 11/01/11. Additional time to submit as-built revision.

Extended: 12/01/11. Rev 1879 under review.

Extended: 01/03/12. Rev 1879 under review.

Phoenix Coal 09/14-4282 – Doug Cross

NOV 11-20-08 TV2 issued 09/30/11.

1 of 2 – Failure to certify sediment Pond 60 is built to approved design.

Abatement: 11/01/11. **OSI: No off-site impact.**

Extended: 12/01/11. Time to submit as-built design.

Extended: 01/03/12. R1883. As-built design pond 60.

2 of 2 – Failure to maintain stream buffer zone (Lightning Creek)

Abatement: After-the-fact. **OSI: Water-Min-Hydrology**

Terminated: 10/03/11.

Phoenix Coal 10/15-4283 – Doug Cross

NOV 11-20-09 TV2 issued 11/10/11. **OSI: Water-Hydro-Moderate**

1 of 1 – Failure to pass surface drainage (berm 54-E).

Abatement: 12/01/11.

Extended: 01/03/12. Complete Pond 67; build berm 54-E. Seed/Mulch.

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

NOV 11-29-01 TV3 issued 10/03/11.

1 of 3 – Failure to conduct mining activities to the approved plan

Abatement: 10/31/11. **OSI: No off-site impact.**

Extended: 11/30/11. Rev 1862F under review.

Extended: 12/30/11. Rev 1862F under review.

2 of 3 – Failure to provide sediment control.

Abatement: 10/31/11. **OSI: No off-site impact**

Extended: 11/30/11. Rev 1862F under review.

Extended: 12/30/11. Rev 1862F under review

3 of 3 - Failure to conduct mining activities according to the approved permit.

Abatement: 10/31/11. **OSI: No off-site impact**

Extended: 11/30/11. Rev 1862F under review.

Extended: 12/30/11. Rev 1862F under review.

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

NOV 11-29-02 TV2 issued 11/10/11.

1 of 2 – Failure to construct haul road according to permit approved designs.

Abatement: 12/09/11. **OSI: No off-site impact.**

Abatement: 01/09/11.

2 of 2 - Failure to conduct mining activities to the approved permit.

Abatement: 12/09/11. **OSI: Land-Hydr-Minor.**

Abatement: 01/09/11.

Farrell-Cooper Mining 02/07-4257 – Ben Ellis

NOV 11-29-05 TV3 issued 12/02/11. **OSI: No off-site impacts. Contained.**

- 1 of 3 – Failure to construct haul road to approved design.
- 2 of 3 – Failure to maintain sediment control structure.
- 3 of 3 - Failure to stabilize surface areas.

Abatement: 01/02/12.

Farrell-Cooper Mining 07/12-4262F – Ben Ellis

NOV 11-29-06 TV2 issued 12/05/11. **OSI: No off-site impacts. Contained.**

- 1 of 2 – Failure to construct haul roads to approved design.
- 2 of 2 - Failure to conduct mining activities according to approved permit.

Abatement: 01/05/12.

Coal Creek Minerals, LLC 09/14-4246F – Ben Ellis

NOV 11-29-07 TV3 issued 12/07/11. **OSI: No off-site impacts.**

- 1 of 3 – Failure to construct sediment control structure to approved designs.
- 2 of 3 - Failure to conduct mining activities to the approved permit.
- 3 of 3 - Failure to properly display signs and markers.

Abatement: 01/06/12.

Mining Systems, Inc. 03/08-4269F – Ben Ellis

NOV 11-29-08 TV2 issued 12/14/11. **OSI: No off-site impact.**

- 1 of 2 – Failure to maintain sediment control structures.
- 2 of 2 – Failure to conduct mining activities according to approved permit.

Abatement: 01/15/12. .

Farrell-Cooper 03/08-4254F – Matt Moss

NOV 11-28-05 TV1 issued 11/18/11. **No off-site impact.**

- 1 of 1 – Failure to reclaim mined area within 180 days following coal removal.

Abatement: 02/16/12.

Brazil Creek Minerals 08/13-4254F – Matt Moss

NOV 11-28-06 YV8 issued 12/08/11.

- 1 of 8 – Failure to pass surface mine drainage. **Abate: 01/09/12**
OSI: Water-Min-Hydro; Land-Min-Hydro; Land-Min-Land Stability
- 2 of 8 - Failure to maintain roads. **Abate: 01/09/12** **OSI: Water-Min-Hydro**
- 3 of 8 – Failure to certify haul roads (1,2,3,4 and 5). **Abate: 01/09/12. No OSI.**
- 4 of 8 – Failure to case and/or seal drill holes. **Abate: 01/09/12. No OSI.**
- 5 of 8 – Failure to properly construct/maintain diversions. **A 3/06/12. No OSI.**
- 6 of 8 – Failure to properly store non-coal waste. **A 3/06/12. No off site impact.**
- 7 of 8 – Failure to protect topsoil. **Abate: 01/09/12; No off-site impact.**
- 8 of 8 - Failure to mark topsoil stockpiles. **A 03/06/12. No off-site impact.**

Farrell-Cooper 05/10-4274 – Kevin Woody

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

- 1 of 1 – Failure to 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. Pending revision. Reclamation agreement.
Extended: 10/14/11. Rev 1874 under review.
Extended: 11/30/11. Rev 1874 under review.
Extended: 12/15/11. Rev 1874 under review.

Farrell-Cooper 10/15-4280 - Kevin Woody

NOV 11-21-01 TV1 issued 04/29/2011. **OSI: Water-Hydro-Minor.**

- 1 of 1 – Construct/maintain diversion to apprvd design.
Abatement: 05/30/11.
Extended: 06/30/11.
Extended: 07/21/11.
Extended: 09/08/11. Over 90. Time DD-2 functioning properly.
Extended: 11/30/11. Over 90. Additional time to submit revision.

Farrell-Cooper 10/11-4280 – Kevin Woody

NOV 11-21-03 TV4 issued 07/28/11. **OSI: No off-site impact (1,2,3 & 4 of 4).**

1 of 4 – Failure to follow approved hydrology plan.

Abatement 08/15/11.

Extended: 10/14/11. Rev 1865 under review.

Extended: 12/15/11. Rev 1865 under review.

2 of 4 – Failure to pass surface drainage

Abatement: 08/15/11.

Terminated: 08/15/11.

3 of 4 – Failure to protect topsoil stockpile, identify & stabilize.

Abatement: 08/15/11.

Terminated: 08/15/11.

4 of 4 – Approved mine plan.

Abatement 08/15/11.

Extended: 10/14/11. Rev 1865 under review.

Extended: 12/15/11. Rev 1865 under review.

Farrell-Cooper 10/15-4266F - Kevin Woody

NOV 11-21-05 TV1 issued 12/01/2011. **No off-site impact.**

1 of 2 – Failure to post & maintain mine identification.

Abatement: 12/29/11.

Farrell-Cooper 02/07-4258F - Kevin Woody

NOV 11-21-06 TV1 issued 12/01/2011. **No off-site impact.**

1 of 2 – Failure to maintain final pit impoundments.

Abatement: 12/29/11.

Farrell-Cooper 05/10-4274 – Kevin Woody

NOV 11-21-07 TV2 issued 12/23/11. **OSI: No off-site impact (1 & 2 of 2).**

1 of 2 – Failure to stabilize surface area.

Abatement: 01/23/12.

2 of 2 – Failure to maintain diversions as required.

Abatement: 01/23/12.

Farrell-Cooper 09/14-4279 - Kevin Woody

NOV 10-21-08 TV2 issued 12/23/11. **OSI: No off-site impact (1 & 2 of 2).**

1 of 2 – Failure to stabilize surface areas.

Abatement: 01/23/11.

2 of 2 - Failure to maintain sediment control structure.

Abatement: 01/23/11.

Farrell-Cooper 10/11-4280 – Kevin Woody

NOV 11-21-09 TV2 issued 12/28/11. OSI: No off-site impact (1 & 2 of 2).

1 of 2 – Failure to comply with the approved permt.

Abatement: 01/23/12.

2 of 2 – Failure to stabilize topsoil from wind/water erosion.

Abatement: 01/23/12.