**PERMIT NUMBER**: O003682  
**DATE**: 03/23/2017  
**TIME**: 09:50  
**REASON**: IH  
**TYPE**: P  
**MINE STATUS**: A4  
**PHOTOS**: Yes  
**BLASTING**:  

**PERMITTEE NAME**: BLACK CASTLE MINING COMPANY INC  
**OPERATOR NAME**: MR-19 DATE  
**NPDES #**: WV0047759  
**NPDES EXPR DATE**: 10/10/2017  
**PERMIT EXPR DATE**: 07/16/2017  
**PERMIT ACRES**: 322.12  
**TOTAL DISTBD**: 177.57  
**RECLMD**: 26.34  
**ANCIL-LARY**: 0  
**UNRECLMD**: 151.23  
**DATES**: PH I  
**PH II**: LAST AUG SEED  
**LAST INSPECT DATE**: 03/15/2017  
**TYPE**: C  
**BOND INC**: 1  
**INC BONDED ACRES**: 322.12  
**CUR IBR#:**: 8  
**CUR REV#:**: 9  
**EXPR DATES**: INACT  
**EMER RESP PLAN**: 02/08/2015 INS  
**12/13/2016 BLAST AD**  
**TIME USED (HRS)>>**: PERMIT REVIEW 0.40  
**INSPECT**: 1.60  
**TRAVEL**: 0.00  
**REPORT**: 0.20  

**INFECTION COMMENTS**:  
Violation #50 Issued; MR-15A. Permittee Failed to Minimize the Disturbance of the Hydrologic Balance at Mine Site and in Associate Off-Site Areas. In that, Discharged Waters from Permitted Area Resulted in Black Water (Discolored Water) and Black Precipitant from a Failure in the Slurry Line Leading to Black Water (Discolored Water) Discharged from Crooked Run into Drawdy Creek into Coal River.

**ENFORCEMENT STANDARD**  
<table>
<thead>
<tr>
<th>EVALUATION</th>
<th>VIO#</th>
</tr>
</thead>
<tbody>
<tr>
<td>0100 Distance Prohibited</td>
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<tr>
<td>0300 Signs and Markers</td>
<td></td>
</tr>
<tr>
<td>0500 Design Certification</td>
<td></td>
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<td>0700 Surface Water</td>
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<td>0900 Blasting Procedures</td>
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<td>1100 Refuse Impoundments</td>
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<td>1300 Backfill / Grading</td>
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<td>1500 Vegetation Requirements</td>
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<td></td>
</tr>
<tr>
<td>1900 Postmining Land Use</td>
<td></td>
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<tr>
<td>2100 Acid bearing /Toxic Material</td>
<td></td>
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<tr>
<td>2300 Change of Operator</td>
<td></td>
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<tr>
<td>2500 Diversions and Drainage Control</td>
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<td>2700 Subsidence Plan</td>
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<tr>
<td>2900 Bonding Current</td>
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**WATER QUALITY TESTS**

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<tr>
<th>Structure ID</th>
<th>Outfall</th>
<th>pH</th>
<th>Fe</th>
<th>Mn</th>
<th>Al</th>
<th>No Flow</th>
<th>Not Const.</th>
<th>Treatment</th>
</tr>
</thead>
</table>

**AUTH. COMPANY REPRESENTATIVE**:  
Josh Peters  
Ken Macaron  
Jim Lane  

**DELIVERY METHOD / DATE TIME**: Hand 3/23/2017 11:30:00  

**CERTIFIED MAIL NUMBER**:  

**ADDRESS**: PO BOX 210, TWILIGHT, WV 25204  
WV DEP REP. Donald Brandon Crace
PERMIT NUMBER: 0003682

PERMITTEE NAME: BLACK CASTLE MINING COMPANY INC

OPERATOR NAME:

MSHA ID#: 40428

NPDES #: WV0047759

OWNER/CONTROLLER:

Whereas an inspection of the above operation by the undersigned Authorized Representative of the Director was completed on the 23rd day of March, 2017. The inspection revealed a violation of the provisions of Chapter 22, Article 3 of the Code of West Virginia. You are hereby notified that you are in violation of the provisions listed below.

WV CODE 22, Art. 3, Sect. 22-3-16(a) Reg 38-2-14.5

The condition, practice or violation is creating an imminent danger to the health or safety of the public or is causing or can reasonably be expected to cause significant, imminent harm to the environment. (Imminent Harm C. O.)

The permittee or operator has failed to abate the violation included in Notice of Violation # within the required abatement date. A minimum civil penalty of $750 per day will be assessed for 30 days unless the violation is corrected.

[ACI] Area of operations to be ceased immediately:
Permittee Failed to Minimize the Disturbance of the Hydrologic Balance at Mine Site and in Associate Off-Site Areas. In that, Discharged Waters from Permitted Area Resulted in Black Water (Discolored Water) and Black Precipitant from a Failure in the Slurry Line Leading to Black Water (Discolored Water) Discharged from Crooked Run into Drawdy Creek into Coal River.

[REM] Remedial Measures:
Permittee is to Cease All Operations of the Coal Preparation Plant, Slurry Pumping, until such time all Black Water Discharge is Ceased/Contained to Eliminate Imminent Harm. Notify Inspector when the Black Water Discharge and Imminent Harm has Ceased.

MUST BE CORRECTED BY DATE: 03/24/2017 12:00 ✓ Resulted in Off-Site Impact

AUTH. COMPANY REPRESENTATIVE: Josh Peters

DELIVERY METHOD / DATE TIME: Hand 3/23/2017 11:30:00

CERTIFIED MAIL NUMBER:

ADDRESS: PO BOX 210, TWILIGHT, WV 25204

WV DEP REP: Donald Brandon Crace

Austin Caperton
[Secretary, Department of Environmental Protection] 03/23/2017

[WV DEP Rep/Date]

WAIVER -- The undersigned does hereby waive, pursuant to WV Code 22-3-16(a), the informal conference on a Cessation Order.

AUTHORIZED AGENT SIGNATURE: [Signature] DATE: 3-23-17

Contact Donald Brandon Crace at (304) 792-7260 upon completion. Failure to complete the above measures within the above time period may result in revocation of the permit and forfeiture of the performance bond.
## West Virginia Department of Environmental Protection

### MR-6 MINE INSPECTION REPORT

<table>
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<tr>
<th>PERMIT NUMBER</th>
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| PERMITTEE NAME       | BLACK CASTLE MINING COMPANY INC | MSHA # | 40428  |
| OPERATOR NAME        | MR-19 DATE                       |        |        |
| NPDES #              | WV0047759                        |        |        |
| NPDES EXPR DATE      | 10/10/2017                       |        |        |
| PERMIT EXPR DATE     | 07/16/2017                       |        |        |
| PERMIT ACRES         | 322.12                            |        |        |
| TOTAL DISTBD         | 177.57                            |        |        |
| RECLMD               | 26.34                             |        |        |
| ANCIL-LARY           | 0                                  |        |        |
| UNRECLMD             | 151.23                            |        |        |
| DATES: PH I          | PH II                              | LAST AUG SEED | MR-8 |
| LAST INSPECT DATE    | 03/23/2017                        |        |        |
| TYPE                 | P                                  |        |        |
| BOND INC             | 1                                  |        |        |
| INC BONDED ACRES     | 322.12                            |        |        |
| CUR IBR#             | 8                                  |        |        |
| CUR REV#             | 9                                  |        |        |
| EXPR DATES: INACT    | EMER RESP PLAN 02/08/2015 INS 12/13/2016 BLAST AD |
| TIME USED (HRS)      | 0.20                               | PERMIT REVIEW | 0.20 |
|                      | INSPECT 1.00                      | TRAVEL 0.00 | REPORT 0.20 |

### INSPECTION COMMENTS

NOV #51 Issued; MR-15.

### ENFORCEMENT STANDARD

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<td>Design Certification.</td>
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<td>Surface Water.</td>
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### WATER QUALITY TESTS

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<tr>
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<th>Al</th>
<th>No Flow</th>
<th>Not Const.</th>
<th>Treatment</th>
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</thead>
</table>

### AUTH. COMPANY REPRESENTATIVE

Shelley Surles

### DELIVERY METHOD / DATE TIME

Hand 3/24/2017 11:20:00

### CERTIFIED MAIL NUMBER

None

### ADDRESS

PO BOX 210, TWILIGHT, WV 25204

### WV DEP REP.

Donald Brandon Crace
MR-15

West Virginia Department Of Environmental Protection

Page 1 of 1

MR-15 NOTICE OF VIOLATION

<table>
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<tr>
<th>PERMIT NUMBER</th>
<th>ORIGINAL INSPECTION</th>
<th>ENF STD DATA</th>
<th>VIOLATION ACTIVITY</th>
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<td>TIME</td>
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<td>03/23/2017</td>
<td>18:00</td>
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</table>

PERMITTEE NAME  BLACK CASTLE MINING COMPANY INC
OPERATOR NAME
MSHA ID#  40428
NPDES #  WV0047759
OWNER/CONTROLLER

Whereas an inspection of the above operation by the undersigned Authorized Representative of the Director was completed on the 23rd day of March, 2017. The inspection revealed a violation of the provisions of Chapter 22, Article 3 of the Code of West Virginia. You are hereby notified that you are in violation of the provisions listed below.

WV CODE 22, Art. 3, Sect. 22-3-13(a)
Reg 38-2-5.4.a

[ DOV ] Description of Violation:
Permittee Failed to Maintain Water Control System. In that, Permittee Check Valve of Water Control System Failed Resulting in Reoccurring Black Water Flow of which Originated from a Slurry Line Break Covered Under an IHCQ.

[ REM ] Remedial Measures:
Maintain Water System & Replace Failed Valve.

MUST BE CORRECTED BY DATE 04/07/2017 12:00
✓ NOV issued
CO Modified to NOV

AUTH. COMPANY REPRESENTATIVE  Shelley Surles
DELIVERY METHOD / DATE TIME  Hand 3/24/2017 11:20:00
CERTIFIED MAIL NUMBER
ADDRESS  PO BOX 210, TWILIGHT, WV 25204
WV DEP REP.  Donald Brandon Crace

Contact Donald Brandon Crace at (304) 792-7250 upon completion. Failure to complete the above measures within the above time period may result in a Cessation Order or revocation of the permit and forfeiture of the performance bond.
PERMITTEE NAME: BLACK CASTLE MINING COMPANY INC

OPERATOR NAME: MR-19 DATE

NPDES #: WV0047759

PERMIT ACRES: 322.12

TOTAL DISTBD: 177.57

RECLMD: 26.34

ANCIL-LARY: 0

UNRECLMD: 151.23

DATES: PH I PH II LAST AUG SEED

LAST INSPECTION DATE: 03/23/2017

TYPE: P

BOND INC: 1

INC BONDED ACRES: 322.12

CUR IBR#: 8

CUR REV#: 9

EXPIRATION DATES: INACT EME RESP PLAN 02/08/2015 INS 12/13/2016 BLAST AD

TIME USED (HRS) PERMIT REVIEW 1.00 INSPECT 10.00 TRAVEL 0.00 REPORT 0.00

INSPECTION COMMENTS

ICHCO Remains in Force. Violation #50; See Accompanying MR-16. Notify Inspector when Potential of Imminent Harm has been Contained. Inspection Conducted with Multiple I & E Staff.

ENFORCEMENT STANDARD EVALUATION VIO# ENFORCEMENT STANDARD EVALUATION VIO#
0100 Distance Prohibited.......................... ..............................................................
0300 Signs and Markers.............................. ..............................................................
0500 Design Certification.......................... ..............................................................
0700 Surface Water................................. ..............................................................
0900 Blasting Procedures.......................... ..............................................................
1100 Refuse Impoundments......................... ..............................................................
1300 Backfill / Grading............................. ..............................................................
1500 Revegetation Requirements.................. ..............................................................
1700 Highwall Elimination.......................... ..............................................................
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2100 Acid bearing /Toxic Material................. ..............................................................
2300 Change of Operator........................... ..............................................................
2500 Diversions and Drainage Control.......... ..............................................................
2700 Subsidence Plan............................... ..............................................................
2900 Bonding Current............................... ..............................................................
0200 Exceeding Limits.............................. ..............................................................
0400 Sediment Control............................... ..............................................................
0600 Effluent Limits................................. ..............................................................
0800 Ground Water................................. ..............................................................
1000 Haul Roads...................................... ..............................................................
1200 Topsoil Handling............................... ..............................................................
1400 Reclamation Schedule......................... ..............................................................
1600 Disposal of Excess Spoil..................... ..............................................................
1800 Downslope Spoil Disposal.................... ..............................................................
2000 Ceased Mining Temporarily.................. ..............................................................
2200 Method of Operations......................... ..............................................................
2400 Permit Conditions.............................. ..............................................................
2600 Fugitive Dust Control......................... ..............................................................
2800 Insurance Current............................ ..............................................................
3000 Other Conditions............................... ..............................................................

WATER QUALITY TESTS

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</tr>
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</table>

AUTH. COMPANY REPRESENTATIVE: Shelley Sudes

DELIVERY METHOD / DATE TIME: Hand 3/24/2017 19:00:00

CERTIFIED MAIL NUMBER

ADDRESS: PO BOX 210, TWILIGHT, WV 25204

WV DEP REP: Donald Brandon Crace
West Virginia Department Of Environmental Protection

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER
0003682

DATE
03/23/2017

TIME
09:50

FORM #
6

FACILITY #
2400

ENF STD
50

NEW VIOLATION ACTIVITY

DATE
03/24/2017

TIME
08:00

PERMITTEE NAME
BLACK CASTLE MINING COMPANY INC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☑ Remains in force as written ☐ Show Cause submitted
☐ Extended to ________ at ________ ☐ NOV modified to CO # ________ ☐ CO modified to NOV # ________

Action taken to abate:
Permittee Supplied Agency a Causation, Implementation, & Prevention/Remedial Plan. The Permittee & Agency Agreed the
Plan Needed to be Modified to Include More Detailed Plan. This Plan is to be Submitted prior to 03/31/2017. Notify the
Inspector. Permittee Ceased Operations of the Coal Preparation Plant and is to Continue Ceased Operations until Such Time
the Potential of Inminent Harm has been Contained. Continue to Implement Actions of Remediation of Off-Site Damage Areas
of Crooked Run & Drawdy Creek. This Violation Remains in Force as Written to Minimize the Disturbance of the Hydrologic
Balance in Crooked Run, & Drawdy Creek.

INSPECTOR’S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☑ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☑ 8 ☐ Consent Agreement in effect? ☐ Yes ☑ No

Comments:
Indications of impact Extend from Crooked Run -> Drawdy Creek -> Big Coal River, Over 3 Miles.

AUTH. COMPANY REPRESENTATIVE
Shelley Suleris

DELIVERY METHOD / DATE TIME
Hand 3/24/2017 19:00:00

CERTIFIED MAIL NUMBER

ADDRESS
PO BOX 210, TWILIGHT, WV 25204

WV DEP REP.
Donald Brandon Crace

Austin Caperton
[Secretary, Department of Environmental Protection]

[WV DEP Representative] Date 03/24/2017

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: ___________________ DATE: ___________ TIME: ___________

COMPANY REPRESENTATIVE: ___________________ DATE: ___________
PERMITTEE NAME: BLACK CASTLE MINING COMPANY INC  
OPERATOR NAME: MSHA #: 40428  
NPDES #: WV0047759  
NPDES EXPIRY DATE: 10/10/2017  
PERMIT EXPIRY DATE: 07/16/2017  
PERMIT ACRES: 322.12  
TOTAL DISTBD: 175.57  
RECLMD: 26.34  
ANCIL-LARY: 0  
UNRECLMD: 151.23  
URES: PH I  
PH II  
LAST AUG SEED  
EXPR DATES: INACT  
EMER RESP PLAN: 02/08/2015  
INS: 12/13/2016  
BLAST AD:  
TIME USED (HRS):  
PERMIT REVIEW: 1.50  
INSPECT: 9.00  
TRAVEL: 0.00  
REPORT: 0.10

INPMission COMMENTS:
IHCO Remains in Force, Violation #50; See Accompanying MR-16. Notify Inspector when Potential of Imminent Harm has been Contained. Field Inspection of Drawdy Creek, Crooked Run, & Big Coal River; Monitoring On-Going Remedial Activity.

ENFORCEMENT STANDARD  
0100 Distance Prohibited  
0200 Exceeding Limits  
0300 Signs and Markers  
0400 Sediment Control  
0500 Design Certification  
0600 Effluent Limits  
0700 Surface Water  
0800 Ground Water  
0900 Blasting Procedures  
1000 Haul Roads  
1100 Refuse Impoundments  
1200 Topsoil Handling  
1300 Backfill / Grading  
1400 Reclamation Schedule  
1500 Revegetation Requirements  
1600 Disposal of Excess Spoil  
1700 Highwall Elimination  
1800 Downslope Spoil Disposal  
1900 Postmining Land Use  
2000 Ceased Mining Temporarily  
2100 Acid Drainage / Toxic Material  
2200 Method of Operations  
2300 Change of Operator  
2400 Permit Conditions  
2500 Diversions and Drainage Control  
2600 Fugitive Dust Control  
2700 Subsidence Plan  
2800 Insurance Current  
2900 Bonding Current  
Other Conditions:

WATER QUALITY TESTS

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AUTH. COMPANY REPRESENTATIVE: Ken Marcum  
DELIVERY METHOD / DATE TIME: Hand 3/25/2017 17:15:00  
CERTIFIED MAIL NUMBER:  
ADDRESS: PO BOX 210, TWILIGHT, WV 25204  
WV DEP REP: Donald Brandon Crace
West Virginia Department Of Environmental Protection

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

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PERMITTEE NAME: BLACK CASTLE MINING COMPANY INC

Violation is hereby: [ ] Terminated [ ] Withdrawn [ ] Remains in force as written [ ] Show Cause submitted
[ ] Extended to ______________________ at _________ [ ] NOV modified to CO # _____ [ ] CO modified to NOV # _____

Action taken to abate:
As Previously Documented on MR-16, Permittee Supplied Agency a Causation, Implementation, & Prevention/Remedial Plan. The Permittee & Agency Agreed the Plan Needed to be Modified to Include More Detailed Plan. Plan is to be Submitted prior to 03/31/2017. Notify the Inspector. Permittee has Continued Ceased Operations of the Coal Preparation Plant and is to Continue Ceased Operations until Such Time the Potential of Imminent Harm has been Contained. Continue to Implement Actions of Remediation of Off-Site Damage Areas of Crooked Run & Drawy Creek. This Violation Remains in Force as Written to Minimize the Disturbance of the Hydrologic Balance in Crooked Run, & Drawy Creek.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)
Seriousness: 1 [ ] 2 [ ] 3 [ ] 4 [ ] 5 [ ] 6 [ ] 7 [ ] 8 [ ] 9 [ ] 10 [ ]
Negligence: 0 [ ] 1 [ ] 2 [ ] 3 [ ] 4 [X] 5 [ ] 6 [ ] 7 [ ] 8 [ ]
Good Faith: 0 [ ] 1 [ ] 2 [ ] 3 [ ] 4 [X] 5 [ ] 6 [ ] 7 [ ] 8 [ ]
Consent Agreement in effect? [ ] Yes [X] No

Comments:
Indications of Impact Extend from Crooked Run -> Drawy Creek -> Big Coal River, Over 3 Miles.

AUTH. COMPANY REPRESENTATIVE: Ken Marcum

DELIVERY METHOD / DATE TIME: Hand 3/25/2017 17:15:00

CERTIFIED MAIL NUMBER: 

ADDRESS: PO BOX 210, TWILIGHT, WV 25204

WV DEP REP: Donald Brandon Crace

Austin Caperton
[Secretary, Department of Environmental Protection] 03/25/2017

Names of individuals at informal Conference:

Results: CO was: [ ] Upheld [ ] Modified [ ] Terminated [ ] Withdrawn

Comments:

SUPERVISOR: 

DATE: 
TIME:

COMPANY REPRESENTATIVE: 

DATE:
PERMITTEE NAME: BLACK CASTLE MINING COMPANY INC
OPERATOR NAME: MR-19 DATE

NPDES #: WV0047759
NPDES EXPR DATE: 10/10/2017
PERMIT EXPR DATE: 07/16/2017

PERMIT ACRES: 322.12
TOTAL DISTBD ACRES: 177.57
RECLMED ACRES: 26.34
ANCILLARY: 0
UNRECLMD ACRES: 151.23

DATES: PH I PH II LAST AUG SEED

LAST INSPECT DATE: 03/25/2017
LAST INSPECT TYPE: P
BOND INC: 1
INC BONDED ACRES: 322.12
CUR IBR#: 8
CUR REV#: 9

EXPR DATES: INACT EMER RESP PLAN: 02/08/2015
02/08/2017 INS:
12/13/2016 BLAST AD:

TIME USED (HRS): PERMIT REVIEW 0.20
INSPECT 2.00
TRAVEL 0.00
REPORT 0.20

INFORMATION COMMENTS:
Permittee Remediated Off-Site Disturbance of Drawdy Creek & Crooked Run. Violation #59 is Modified to Notice of Violation #52.

ENFORCEMENT STANDARD
0100 Distance Prohibited
0300 Signs and Markers
0500 Design Certification
0700 Surface Water
0900 Blasting Procedures
1100 Refuse Impoundments
1300 Backfill & Grading
1500 Revegetation Requirements
1700 Highwall Elimination
1900 Postmining Land Use
2100 Acid bearing/Taxic Material
2300 Change of Operator
2500 Diversions and Drainage Control
2700 Subsidence Plan
2900 Bonding Current

WATER QUALITY TESTS

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<tr>
<th>Structure ID</th>
<th>Outfall</th>
<th>pH</th>
<th>Fe</th>
<th>Mn</th>
<th>Al</th>
<th>No Flow</th>
<th>Not Const.</th>
<th>Treatment</th>
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<tbody>
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AUTH. COMPANY REPRESENTATIVE: Shelley Surles
DELIVERY METHOD / DATE TIME: Hand 3/27/2017 10:00:00
CERTIFIED MAIL NUMBER: 
ADDRESS: PO BOX 210, TWILIGHT, WV 25204
WV DEP REP: Donald Brandon Crace
West Virginia Department Of Environmental Protection

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

<table>
<thead>
<tr>
<th>PERMIT NUMBER</th>
<th>ORIGINAL INSPECTION AND VIOLATION DATA</th>
<th>NEW VIOLATION ACTIVITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>O003682</td>
<td>DATE 03/23/2017 09:50 TIME 07:50</td>
<td>DATE 03/27/2017 07:50</td>
</tr>
<tr>
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<td>FORM # 6 FACILITY # 2400 ENF STD 50</td>
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</tr>
<tr>
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<td>ORIGINAL VIOL# 50</td>
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</tr>
<tr>
<td>PERMITTEE NAME</td>
<td>BLACK CASTLE MINING COMPANY INC</td>
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</tbody>
</table>

Violation is hereby:  
- [ ] Terminated  
- [ ] Withdrawn  
- [ ] Remains in force as written  
- [ ] Show Cause submitted  
- [ ] Extended to [ ] at [ ] NOV modified to [ ] CO # [ ]  
- [V] CO modified to NOV # 52

Action taken to abate:  
Permittee Remediated Off-Site Disturbance of Drawdy Creek & Crooked Run. This Violation is Modified to Notice of Violation #52.

INSPECTOR’S CIVIL PENALTY ASSESSMENT RECOMMENDATION  
(check)

<table>
<thead>
<tr>
<th>Seriousness: 1 2 3 4 5 6 7 8 9 10</th>
<th>Negligence: 0 1 2 3 4 5 6 7 8</th>
</tr>
</thead>
</table>
| Good Faith: 0 1 2 3 [V] 4 5 6 7 8 | Consent Agreement in effect?  
- [No]
- [V] Yes

Comments:  
Indications of Impact Extend from Crooked Run -> Drawdy Creek -> Big Coal River, Over 3 Miles.

AUTH. COMPANY REPRESENTATIVE Shelley Surles

DELIVERY METHOD / DATE TIME Hand 3/27/2017 10:00:00

CERTIFIED MAIL NUMBER

ADDRESS PO BOX 210, TWILIGHT, WV 25204

WV DEP REP. Donald Brandon Crace

Austin Caperton  [Secretary, Department of Environmental Protection]  03/27/2017

[WW DEP Representative] Date

Names of individuals at informal Conference:

Results: CO was:  
- [ ] Upheld  
- [ ] Modified  
- [ ] Terminated  
- [ ] Withdrawn

Comments:

SUPERVISOR: ___________________________ DATE: ___________ TIME: ___________

COMPANY REPRESENTATIVE: ___________________________ DATE: ___________
MR-15

West Virginia Department Of Environmental Protection

Notice of Violation

Permit Number: 0003682

Original Inspection:
- Date: 03/23/2017
- Time: 09:50
- Form#: 6
- Facility#: 2400

Violation Activity:
- Date: 03/27/2017
- Time: 07:50
- Violation#: 52

Permittee Name: BLACK CASTLE MINING COMPANY INC

Operator Name:

MSHA ID#: 40428
NPDES #: WV0047759

Owner/Controller:

Whereas an inspection of the above operation by the undersigned Authorized Representative of the Director was completed on the 23rd day of March, 2017. The inspection revealed a violation of the provisions of Chapter 22, Article 3 of the Code of West Virginia. You are hereby notified that you are in violation of the provisions listed below.

WV CODE 22, Art. 3, Sect. 22-3-13(a)
Reg 38-2-14.5

[DOV] Description of Violation:
Violation in Result of Modifying I/HCO (Violation #50) to Notice of Violation.

[REM] Remedial Measures:
(a) Submit Incident & Preventative Plan for Review & Approval (By OR Before 03/31/2017). (b) Clean & Certify Fresh Water Pond. (c) Clean to 100% Capacity & Re-Certify Belt Head Sump. (d) Stabilize, Seed, & Straw Areas Disturbed from Remedial Activities. (e) Establish Berm Around Storage Area from Fresh Water Pond Down Gradient to Small Sump. (f) Stabilize Repaired Section of Slurry Line. (g) Provide Secondary Containment or Equivalent for Slurry Line by Submitting Plan for Review & Approval.

Must Be Corrected by Date: 04/26/2017 09:00

☑ NOV Issued ☐ CO Modified to NOV

Resulted in Off-Site Impact

Authorized Company Representative: Shelley Surles

Delivery Method / Date Time: Hand 3/27/2017 10:00:00

Certified Mail Number: 

Address: PO BOX 210, TWILIGHT, WV 25204

WV Dep Rep: Donald Brandon Crace

Contact: Donald Brandon Crace at (304) 792-7250 upon completion. Failure to complete the above measures within the above time period may result in a Cessation Order or revocation of the permit and forfeiture of the performance bond.