

Order For Cessation And Immediate Compliance

IDCO

23-2015

Permittee Name: REVELATION ENERGY LLC

Permit No. 874-9006

Operator:

Surety: LEXON INSURANCE COMPANY

0825

Will compliance with this order required the cessation of coal removal? No
How?

Whereas, on this the 22 day of July, 2019, Notice of Non-Compliance, No. 23-6017, pertaining to Permit No. 874-9006 is issued to you which sets forth violations of KRS 350, 405 KAR, permit conditions or practices that create an imminent danger to the health or safety of the Public, or are causing or can reasonably be expected to cause significant, imminent environmental harm to Land, air, or water resources, you are hereby ordered to cease your present activities on the area described as follows:

No activity occurring onsite. Immediately bring the substandard discharge into compliance.

on Permit No. 874-9006, and to immediately take the following remedial measures:

WQ-Water Quality - 405 KAR 16:070- Bring the substandard discharge from sediment structure Pond 1 into compliance.

EL- Effluent Limitations - 401 KAR 5:065- Bring the substandard discharge from sediment structure Pond 1 into compliance.

And complete them by 4:30 PM on 7/30/2019. This applies to the following violations for the Non-Compliance above: EL, WQ

Issued By:	<u>ANDREW, SHAWN</u>	I.D. No:	<u>020285</u>	Date:	<u>7/25/2019</u>
Env. Inspector:	<i>Shawn Andrew</i> Shawn Andrew		<u>020285</u>	Date:	<u>07/26/2019</u>
Env. Control Supervisor:	<i>Louis Morgan</i> Louis Morgan	I.D. No:		Date:	<u>07/29/2019</u>
Env. Control Manager:	<i>Louis Morgan</i> Louis Morgan			Date:	<u>07/29/2019</u>
Person On-Site To Whom Copy Was Delivered:		Signature:			
Person To Whom Copy Was Hand Delivered:		Signature:			
Certified Mail No.		Certified Date:			
Contact Inspector at:	<u>606-248-6166</u>				upon completion of remedial measures

YOUR RIGHT TO APPEAL

If you consider yourself aggrieved by this agency's determination, you may file a petition with the Cabinet. Under 400 KAR 1:090; 400 KAR 1:110, Section 9; 400 KAR 1:120, Section 2 a petition for review must contain:

- (a) A statement of facts entitling you to administrative relief,
- (b) An explanation of specific alleged errors in the Cabinet's decision,
- (c) A request for specific relief, and
- (d) Any other relevant information.

(Please include the name of the permittee and the permit number on your statement of facts, if they exist.)

The petition must be filed and received by the Office of Administrative Hearings within thirty (30) days of the receipt of this letter / determination. Your petition must be addressed to:

Attn: Docket Section
Office of Administrative Hearings
211 Sower Boulevard
Frankfort, KY 40601

You may also fax your request to the Office of Administrative Hearings, fax number 502-564-4973. You must, however, mail a written copy of your petition to the Office on the same day as you send the faxed copy.

OR

You may also request an Administrative Review by writing a letter to:

Ms. Courtney Skaggs, Director
Division of Mine Reclamation and Enforcement
300 Sower Boulevard
Frankfort, KY 40601

Please contact the Office of Administrative Hearings at 502-564-7312 should you have any questions concerning the petition process or if you would like to have them send you a copy of the Guide.

CAUTION: The above statements are informational only and not intended to supplement or replace the provision of 401KAR 1:190; 400 KAR 1:110, Section 9, 400 KAR 1:120, Section 2. Failure to comply with the regulations may result in a determination that you have waived your rights to an administrative hearing.



ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Matthew G. Bevin
Governor

Charles G. Snavelly
Secretary

300 Sower Boulevard
Frankfort, Kentucky 40601
Phone (502) 564-6940
Fax (502) 564-5698
www.eec.ky.gov
www.dnr.ky.gov

John D. Small
Commissioner

08/07/2019

TERRI BLANTON
118 BAUGH STREET
BEREA KY 40403

Re: CRI No. 19-02-0063
Final Response

Dear Ms. Blanton,

On July 22, 2019, the MIDDLESBORO Regional Office of the Division of Mine Reclamation and Enforcement (DMRE) received your request for inspection regarding substandard water discharging from nearby permits.

At approximately 2:40 P.M. July 22, 2019, I was contacted by the Middlesboro Regional Office and informed of your concerns. I proceeded to permits 874-8006 and 874-9006 and arrived at 3:35 P.M. I first investigated the issue that was passed along to us regarding Liz Worley Road. At the time of my investigation, there was no indication that any roadside ditch water had run onto the road's surface. This may have occurred during an earlier heavy rain event at some point that day. I proceeded to the permits 874-8006 and 874-9006. I inspected the impoundment which is within compliance at elevation 1144 feet. This is normally at around 1143 feet elevation. I inspected Pond 1 on 9006 and ponds 2 and 13 on 8006. These Ponds were discharging. The discharge was tested and was found to be sub-standard and non-compliance 23-6016 and Imminent Danger Cessation Order 23-2016 was issued for 874-8006 and non-compliance 23-6017 and Imminent Danger Cessation Order 23-2015 was issued for 874-9006. The company was subsequently issued Failure to abate cessation orders for both 874-8006 and 874-9006. If you have any further question or concerns please call the Middlesboro Regional Office at 606-248-6166.

Sincerely,

Shawn Andrew, Environmental Scientist III

This letter has been reviewed by the following personnel:



KentuckyUnbridledSpirit.com

An Equal Opportunity Employer M/F/D

, Env. Control Manager

Lois Morgan, Env. Control Manager

cc: complaint file (e)

Order For Cessation

And Immediate Compliance

Permittee Name: REVELATION ENERGY LLC

IDCO

23-2016

Permit No. 874-8006

Operator:

Surety:

LEXON INSURANCE COMPANY

0828

Will compliance with this order required the cessation of coal removal? No
How?

Whereas, on this the 22 day of July, 2019, Notice of Non-Compliance, No. 23-6016, pertaining to Permit No. 874-8006 is issued to you which sets forth violations of KRS 350, 405 KAR, permit conditions or practices that create an imminent danger to the health or safety of the Public, or are causing or can reasonably be expected to cause significant, imminent environmental harm to Land, air, or water resources, you are hereby ordered to cease your present activities on the area described as follows:

No activity occurring onsite. Immediately bring the substandard discharge into compliance.

on Permit No. 874-8006, and to immediately take the following remedial measures:

WQ- Water Quality - 405 KAR 16:070- Bring the substandard discharges from sediment structures Pond 2 and Pond 13 into compliance.

EL- Effluent Limitations - 401 KAR 5:065- Bring the substandard discharges from sediment structures Pond 2 and Pond 13 into compliance.

And complete them by 4:30 PM on 7/30/2019. This applies to the following violations for the Non-Compliance above: EL, WQ

Issued By:

ANDREW, SHAWN

I.D. No:

020285

Date:

7/28/2019

Env. Inspector:

Shawn Andrew
Shawn Andrew

020285

Date:

07/26/2019

Env. Control Supervisor:

Louis Morvan
Louis Morvan

I.D. No:

Date:

07/29/2019

Env. Control Manager:

Louis Morvan
Louis Morvan

I.D. No:

Date:

07/29/2019

Person On-Site To Whom Copy Was

Delivered:

Signature:

Person To Whom Copy Was Hand Delivered:

Signature:

Certified Mail No.

Certified Date

Contact Inspector at:

606-248-6166

upon completion of remedial measures