

PERMIT NUMBER	INSPECTION				MINE STATUS	PHOTOS	BLASTING	
	DATE	TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
O003682	03/23/2017	09:50	IH	P	A4	Yes	No	No

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 INSP 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

INSPECTION 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	EVALUATION	VIO#	ENFORCEMENT STANDARD	EVALUATION	VIO#
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 bearing /Toxic Material.....			2200 Method of Operations.....		
2300 Change of Operator.....			2400 Permit Conditions.....	NI	50
2500 Diversions and Drainage Control..			2600 Fugitive Dust Control.....		
2700 Subsidence Plan.....			2800 Insurance Current.....		
2900 Bonding Current.....			3000 Other Conditions.....		

WATER QUALITY TESTS

Structure ID	Outfall	pH	Fe	Mn	Al	No Flow	Not Const.	Treatment

AUTH. COMPANY REPRESENTATIVE Josh Peters Ken Marcum [Signature]
 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 D. Bullock

ERIS

MR-15A CESSATION ORDER

PERMIT NUMBER	ORIGINAL INSPECTION		ENF STD DATA			VIOLATION ACTIVITY			INSP ID NUMBER
	DATE	TIME	FORM#	FACILITY#	ENF STD	DATE	TIME	VIOLATION#	
0003682	03/23/2017	09:50	6		2400	03/23/2017	09:50	50	1053

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

NI 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~~ Ken Marcum 

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

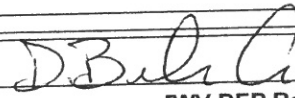
CERTIFIED MAIL NUMBER _____

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: 

DATE: 3-23-17

Contact Donald Brandon Crace at (304) 792-7250 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.

PERMIT NUMBER	INSPECTION				MINE STATUS	PHOTOS	BLASTING	
	DATE	TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
O003682	03/23/2017	18:00	RI	P	A4	No	No	No

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 INSP 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)==> **PERMIT REVIEW** 0.20 **INSPECT** 1.00 **TRAVEL** 0.00 **REPORT** 0.20

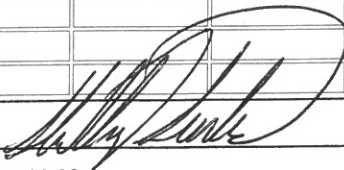
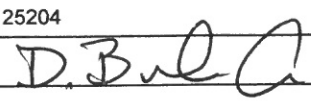
INSPECTION COMMENTS

NOV #51 Issued; MR-15.

ENFORCEMENT STANDARD	EVALUATION	VIO#	ENFORCEMENT STANDARD	EVALUATION	VIO#
0100 Distance Prohibited.....			0200 Exceeding Limits.....		
0300 Signs and Markers.....			0400 Sediment Control.....	NV	51
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 bearing /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.....			3000 Other Conditions.....		

WATER QUALITY TESTS

Structure ID	Outfall	pH	Fe	Mn	Al	No Flow	Not Const.	Treatment

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 

ERIS

MR-15 NOTICE OF VIOLATION

PERMIT NUMBER	ORIGINAL INSPECTION		ENF STD DATA			VIOLATION ACTIVITY			INSP ID NUMBER
	DATE	TIME	FORM#	FACILITY#	ENF STD	DATE	TIME	VIOLATION#	
0003682	03/23/2017	18:00	6		0400	03/23/2017	18:00	51	1053

PERMITTEE NAME BLACK CASTLE MINING COMPANY INC

OPERATOR NAME _____

MSHA ID# 40428

NPDES #

WV0047759

OWNER/CONTROLLER _____

(different from above)

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.

Reg 38-2-

22-3-13(a)

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 IHCO.

[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 Resulted in Off Site ImpactAUTH. COMPANY REPRESENTATIVE Shelley SurlesDELIVERY METHOD / DATE TIME Hand 3/24/2017 11:20:00

CERTIFIED MAIL NUMBER _____

ADDRESS PO BOX 210, TWILIGHT, WV 25204WV DEP REP. Donald Brandon CraceAustin Caperton

[Secretary, Department of Environmental Protection]

D. Bullock03/24/2017

[WV DEP Rep/Date]

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.

PERMIT NUMBER	INSPECTION				MINE STATUS	PHOTOS	BLASTING	
	DATE	TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
O003682	03/24/2017	08:00	IN	P	A4	No	No	No

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 INSP 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)==> PERMIT REVIEW 1.00 INSPECT 10.00 TRAVEL 0.00 REPORT 0.00

INSPECTION COMMENTS

IHCO 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.....	<input type="checkbox"/>	<input type="checkbox"/>	0200 Exceeding Limits.....	<input type="checkbox"/>	<input type="checkbox"/>
0300 Signs and Markers.....	<input type="checkbox"/>	<input type="checkbox"/>	0400 Sediment Control.....	<input type="checkbox"/>	<input type="checkbox"/>
0500 Design Certification.....	<input type="checkbox"/>	<input type="checkbox"/>	0600 Effluent Limits.....	<input type="checkbox"/>	<input type="checkbox"/>
0700 Surface Water.....	<input type="checkbox"/>	<input type="checkbox"/>	0800 Ground Water.....	<input type="checkbox"/>	<input type="checkbox"/>
0900 Blasting Procedures.....	<input type="checkbox"/>	<input type="checkbox"/>	1000 Haul Roads.....	<input type="checkbox"/>	<input type="checkbox"/>
1100 Refuse Impoundments.....	<input type="checkbox"/>	<input type="checkbox"/>	1200 Topsoil Handling.....	<input type="checkbox"/>	<input type="checkbox"/>
1300 Backfill / Grading.....	<input type="checkbox"/>	<input type="checkbox"/>	1400 Reclamation Schedule.....	<input type="checkbox"/>	<input type="checkbox"/>
1500 Revegetation Requirements.....	<input type="checkbox"/>	<input type="checkbox"/>	1600 Disposal of Excess Spoil.....	<input type="checkbox"/>	<input type="checkbox"/>
1700 Highwall Elimination.....	<input type="checkbox"/>	<input type="checkbox"/>	1800 Downslope Spoil Disposal.....	<input type="checkbox"/>	<input type="checkbox"/>
1900 Postmining Land Use.....	<input type="checkbox"/>	<input type="checkbox"/>	2000 Ceased Mining Temporarily.....	<input type="checkbox"/>	<input type="checkbox"/>
2100 Acid bearing /Toxic Material.....	<input type="checkbox"/>	<input type="checkbox"/>	2200 Method of Operations.....	<input type="checkbox"/>	<input type="checkbox"/>
2300 Change of Operator.....	<input type="checkbox"/>	<input type="checkbox"/>	2400 Permit Conditions.....	PC	<input type="checkbox"/>
2500 Diversions and Drainage Control..	<input type="checkbox"/>	<input type="checkbox"/>	2600 Fugitive Dust Control.....	<input type="checkbox"/>	<input type="checkbox"/>
2700 Subsidence Plan.....	<input type="checkbox"/>	<input type="checkbox"/>	2800 Insurance Current.....	<input type="checkbox"/>	<input type="checkbox"/>
2900 Bonding Current.....	<input type="checkbox"/>	<input type="checkbox"/>	3000 Other Conditions.....	<input type="checkbox"/>	<input type="checkbox"/>

WATER QUALITY TESTS

Structure ID	Outfall	pH	Fe	Mn	Al	No Flow	Not Const.	Treatment

AUTH. COMPANY REPRESENTATIVE ~~Shelley Surles~~ Ken Marckum Ken
 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 P. Bullock

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FACILITY #	ENF STD	ORIGINAL VIOL#	DATE	TIME
O003682	03/23/2017	09:50	6		2400	50	03/24/2017	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 Imminent 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 Surles Ker Marlam [Signature]
 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 D. Bullock 03/24/2017
 [Secretary, Department of Environmental Protection] [WV DEP Representative] Date

Names of individuals at informal Conference: _____

Results: CO was: Upheld Modified Terminated Withdrawn

Comments: _____

SUPERVISOR: _____ DATE: _____ TIME: _____
 COMPANY REPRESENTATIVE: _____ DATE: _____

PERMIT NUMBER	INSPECTION				MINE STATUS	PHOTOS	BLASTING	
	DATE	TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
O003682	03/25/2017	08:10	IH	P	A4	No	No	No

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 INSP DATE 03/24/2017 **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)=> **PERMIT REVIEW** 1.50 **INSPECT** 9.00 **TRAVEL** 0.00 **REPORT** 0.10

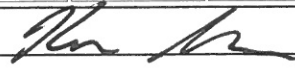
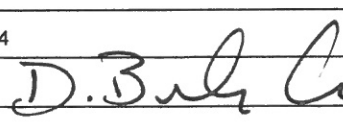
INSPECTION COMMENTS

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	EVALUATION	VIO#	ENFORCEMENT STANDARD	EVALUATION	VIO#
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 bearing /Toxic Material.....			2200 Method of Operations.....		
2300 Change of Operator.....			2400 Permit Conditions.....	PC	
2500 Diversions and Drainage Control..			2600 Fugitive Dust Control.....		
2700 Subsidence Plan.....			2800 Insurance Current.....		
2900 Bonding Current.....			3000 Other Conditions.....		

WATER QUALITY TESTS

Structure ID	Outfall	pH	Fe	Mn	Al	No Flow	Not Const.	Treatment

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 

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FACILITY #	ENF STD	ORIGINAL VIOL#	DATE	TIME
O003682	03/23/2017	09:50	6		2400	50	03/25/2017	08:10

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 & 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 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
 [WV DEP Representative] Date

Names of individuals at informal Conference:

Results: CO was: Upheld Modified Terminated Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

PERMIT NUMBER	INSPECTION				MINE STATUS	PHOTOS	BLASTING	
	DATE	TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
O003682	03/27/2017	07:50	IN	P	A4	No	No	No

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 INSP DATE 03/25/2017 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)==> PERMIT REVIEW 0.20 INSPECT 2.00 TRAVEL 0.00 REPORT 0.20

INSPECTION COMMENTS

Permittee Remediated Off-Site Disturbance of Drawdy Creek & Crooked Run. Violation #50 is Modified to Notice of Violation #52.

ENFORCEMENT STANDARD	EVALUATION	VIO#	ENFORCEMENT STANDARD	EVALUATION	VIO#
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 bearing /Toxic Material.....			2200 Method of Operations.....		
2300 Change of Operator.....			2400 Permit Conditions.....	PC	
2500 Diversions and Drainage Control..			2600 Fugitive Dust Control.....		
2700 Subsidence Plan.....			2800 Insurance Current.....		
2900 Bonding Current.....			3000 Other Conditions.....		

WATER QUALITY TESTS

Structure ID	Outfall	pH	Fe	Mn	Al	No Flow	Not Const.	Treatment

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

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FACILITY #	ENF STD	ORIGINAL VIOL#	DATE	TIME
O003682	03/23/2017	09:50	6		2400	50	03/27/2017	07:50

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 # 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)

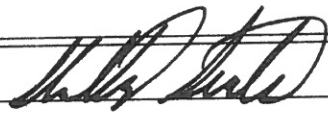
Seriousness: 1 2 3 4 5 6 7 8 9 10 Negligence: 0 1 2 3 4 5 6 7 8

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 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]

DB Crace 03/27/2017
 [WV DEP Representative] Date

Names of individuals at informal Conference: _____

Results: CO was: Upheld Modified Terminated Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

PERMIT NUMBER	ORIGINAL INSPECTION		ENF STD DATA			VIOLATION ACTIVITY			INSP ID NUMBER
	DATE	TIME	FORM#	FACILITY#	ENF STD	DATE	TIME	VIOLATION#	
O003682	03/23/2017	09:50	6		2400	03/27/2017	07:50	52	1053

PERMITTEE NAME BLACK CASTLE MINING COMPANY INC

OPERATOR NAME _____

MSHA ID# 40428 NPDES # WV0047759

OWNER/CONTROLLER _____ *if different from above*


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. Reg 38-2-
 22-3-13(a) 14.5

[DOV] Description of Violation:
Violation in Result of Modifying IHCO (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

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 D. Bullock 03/27/2017
 [Secretary, Department of Environmental Protection] [WV DEP Rep/Date]

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.