



Suzanne Steab <suzannesteab@utah.gov>

Bear Canyon, Notices of Violation

Suzanne Steab <suzannesteab@utah.gov>

Fri, Jun 19, 2015 at 9:00 AM

To: Jaren Jorgensen <jjorgensen@rhinolp.com>, "cheaps@rhinoenergyllc.com" <cheaps@rhinoenergyllc.com>

Cc: "Haddock, Daron" <daronhaddock@utah.gov>, "Helfrich, Joe" <joe Helfrich@utah.gov>

Hello Jaren,

Please see the attached Notices of Violation. They are being sent via certified mail today, 6/19/15.

Thank you.

--

Suzanne Steab, Engineering Technician II
Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

4 attachments

 **NOV19151.pdf**
118K

 **NOV19152.pdf**
109K

 **NOV19153.pdf**
114K

 **NOV19154.pdf**
121K



Citation for Non-Compliance
Utah Coal Regulatory Program
 1594 West North Temple, Salt Lake City, UT 84114
 Phone: (801) 538-5340 Fax: (801) 359-3940

Citation #: 19151
Permit Number: C0150025
Date Issued: 06/18/2015

NOTICE OF VIOLATION **CESSATION ORDER (CO)** **FAILURE TO ABATE CO**

Permittee Name: CASTLE VALLEY MINING LLC	Inspector Number and ID: 1 JHELFRIC
Mine Name: BEAR CANYON MINE	Date and Time of Inspection: 05/13/2015
Certified Return Receipt Number: 7012346000295596472	Date and Time of Service: 06/18/2015

Nature of condition, practice, or violation:
 The permittee has not maintained the inlets to sediment ponds A, B, C, and D in accordance with Appendix 7F of the approved mining and reclamation plan (MRP).

Provisions of Act, regulations, or permit violated:
 R645-301-742.123

This order requires Cessation of ALL mining activities. (Check box if appropriate.)

<input type="checkbox"/> Condition, practice, or violation is creating an imminent danger to health or safety of the public.	<input type="checkbox"/> Permittee is/has been conducting mining activities without a Permit.
<input type="checkbox"/> Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.	<input type="checkbox"/> Permittee has failed to abate Violation(s) included in <input type="checkbox"/> Notice of Violation or <input type="checkbox"/> Cessation Order within time for abatement originally fixed or subsequently extended.

This order requires Cessation of PORTION(S) of mining activities.

Mining activities to be ceased immediately: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Abatement Times (if applicable).
	30 days, no later than 5:00 Pm Friday
	July 17th for the submittal of plans for
	ponds B & D and repair of inlets for ponds
	A & C.

Action(s) required: Yes No

Sediment Pond A: Clean and reestablish the rip-rapped inlet channel the has been eroded and place the waste material on the appropriate coal stockpile pad.

Sediment Pond B: Refer to # 4b of the attached DOGM inspection report.

Sediment pond C: Clean and reestablish the rip-rapped inlet channel the has been eroded. Repair the erosion on the outslope of the leachfield upstream of pond C.

Sediment Pond D: Refer to # 4b of the attached DOGM inspection report.

Jaren Jorgensen

(Print) Permittee Representative

JOE HELFRICH

(Print) DOGM Representative

Permittee Representative's Signature - Date

DOGM Representative's Signature - Date

SEE REVERSE SIDE Of This Form For Instructions And Additional Information



Citation for Non-Compliance
Utah Coal Regulatory Program
 1594 West North Temple, Salt Lake City, UT 84114
 Phone: (801) 538-5340 Fax: (801) 359-3940

Citation #: 19152
Permit Number: C0150025
Date Issued: 06/18/2015

NOTICE OF VIOLATION
 CESSATION ORDER (CO)
 FAILURE TO ABATE CO

Permittee Name: CASTLE VALLEY MINING LLC	Inspector Number and ID: 1 JHELFRIC
Mine Name: BEAR CANYON MINE	Date and Time of Inspection: 05/13/2015
Certified Return Receipt Number: 70123460000295596472.	Date and Time of Service: 06/18/2015

Nature of condition, practice, or violation:
 The permittee has not placed and stored non-coal waste in a controlled manner in a designated portion of the permit area.

Provisions of Act, regulations, or permit violated:
 R645-301-528.331

This order requires Cessation of ALL mining activities. (Check box if appropriate.)

<input type="checkbox"/> Condition, practice, or violation is creating an imminent danger to health or safety of the public.	<input type="checkbox"/> Permittee is/has been conducting mining activities without a Permit.
<input type="checkbox"/> Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.	<input type="checkbox"/> Permittee has failed to abate Violation(s) included in <input type="checkbox"/> Notice of Violation or <input type="checkbox"/> Cessation Order within time for abatement originally fixed or subsequently extended.

This order requires Cessation of PORTION(S) of mining activities.

Mining activities to be ceased immediately: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Abatement Times (if applicable).
	30 days, no later than Friday, July 17th.

Action(s) required: Yes No
 Remove the non-coal waste from the following areas: The four sediment ponds (A-D), stream buffer zones, outslope of portal pad 3. Ensure that non-coal waste from any other areas within and adjacent to the disturbed area and outslopes of the access road to the #4 portal is properly stored.

Jaren Jorgensen (Print) Permittee Representative	JOE HELFRICH (Print) DOGM Representative
<i>Jaren Jorgensen</i> Permittee Representative's Signature - Date	<i>Joe Helfrich</i> DOGM Representative's Signature - Date

SEE REVERSE SIDE Of This Form For Instructions And Additional Information



**Citation for Non-Compliance
Utah Coal Regulatory Program**

1594 West North Temple, Salt Lake City, UT 84114
Phone: (801) 538-5340 Fax: (801) 359-3940

Citation #: 19153

Permit Number: C0150025

Date Issued: 06/18/2015

NOTICE OF VIOLATION

CESSATION ORDER (CO)

FAILURE TO ABATE CO

Permittee Name: CASTLE VALLEY MINING LLC

Inspector Number and ID: 1 JHELFRIC

Mine Name: BEAR CANYON MINE

Date and Time of Inspection: 05/13/2015

Certified Return Receipt Number: 70123460000295596472

Date and Time of Service: 06/18/2015

Nature of condition, practice, or violation:

Encroachment of the stream buffer zone at the Bear Canyon mine.

Provisions of Act, regulations, or permit violated:

R645-301-731.600

This order requires Cessation of ALL mining activities. (Check box if appropriate.)

Condition, practice, or violation is creating an imminent danger to health or safety of the public.

Permittee is/has been conducting mining activities without a Permit.

Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.

Permittee has failed to abate Violation(s) included in Notice of Violation or Cessation Order within time for abatement originally fixed or subsequently extended.

This order requires Cessation of PORTION(S) of mining activities.

Mining activities to be ceased immediately: Yes No

Abatement Times (if applicable).

30 days, no later than 5:00 PM Friday

July 17th.

Action(s) required: Yes No

Remove materials from storage areas that have spilled over into the stream buffer area.

Remove the hoses and or other equipment used to decant pond A to pond B.

Submit plans for an alternative route to decant pond A into pond B.

Submit plans for the clean-up of the coal and or coal fines in the buffer zone.

The plans must be complete and adequate and implemented upon approval.

Jaren Jorgensen

(Print) Permittee Representative

JOE HELFRICH

(Print) DOGM Representative

Permittee Representative's Signature - Date

DOG M Representative's Signature - Date

SEE REVERSE SIDE Of This Form For Instructions And Additional Information



Citation for Non-Compliance
Utah Coal Regulatory Program
 1594 West North Temple, Salt Lake City, UT 84114
 Phone: (801) 538-5340 Fax: (801) 359-3940

Citation #: 19154
Permit Number: C0150025
Date Issued: 06/18/2015

NOTICE OF VIOLATION **CESSATION ORDER (CO)** **FAILURE TO ABATE CO**

Permittee Name: CASTLE VALLEY MINING LLC	Inspector Number and ID: 1 JHELFRIC
Mine Name: BEAR CANYON MINE	Date and Time of Inspection: 05/13/2015
Certified Return Receipt Number: 70123460000295596472	Date and Time of Service: 06/18/2015

Nature of condition, practice, or violation:
 The permittee has failed to properly maintain support facilities (overland conveyor from the #3 portal), sediment control structures on the #4 portal access road and undisturbed culvert # C7U so as to prevent contributions of additional suspended solids to the undisturbed drainage adjacent to bear creek and Bear creek.

Provisions of Act, regulations, or permit violated:
 R645-301-521.170
 R645-301-742.200
 R645-301-742.423.2
 R645-301-742.423.3

This order requires Cessation of ALL mining activities. (Check box if appropriate.)

<input type="checkbox"/> Condition, practice, or violation is creating an imminent danger to health or safety of the public.	<input type="checkbox"/> Permittee is/has been conducting mining activities without a Permit.
<input type="checkbox"/> Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.	<input type="checkbox"/> Permittee has failed to abate Violation(s) included in <input type="checkbox"/> Notice of Violation or <input type="checkbox"/> Cessation Order within time for abatement originally fixed or subsequently extended.

This order requires Cessation of PORTION(S) of mining activities.

Mining activities to be ceased immediately: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Abatement Times (if applicable).
	60 days no later than 5:00 PM Monday
	August 17th.

Action(s) required: Yes No
 Repair the overland conveyor cover system and coal slurry leaks in accordance with the approved MRP.
 Repair the sediment control structures and eroded embankments on the access road to the #4 portal.
 Submit plans for the clean-up of coal and coal fine slurry and sediment in the undisturbed drainage adjacent to Bear creek.
 Plans must be complete and adequate and implemented upon approval.

Jaren Jorgensen (Print) Permittee Representative	JOE HELFRICH (Print) DOGM Representative
<i>Jaren Jorgensen</i> Permittee Representative's Signature - Date	<i>Joe Helfrich</i> DOGM Representative's Signature - Date

SEE REVERSE SIDE Of This Form For Instructions And Additional Information