

SECTION 5

COMPLIANCE INFORMATION

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Notice of Violations

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LIST OF REVISIONS DURING PERMIT TERM

REV. NUMBER	REVISION DESCRIPTION	DATE APPROVED
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5 COMPLIANCE INFORMATION

5.1 Suspended or Revoked Permits and Forfeited Bonds

The applicant or any subsidiary, affiliate or persons controlled by or under common control with the applicant has not had a Federal or State coal mining permit suspended or revoked nor has forfeited a performance bond or similar security deposited in lieu of bond in the five (5) years preceding the date of submission of this application.

5.2 Violations

[Appendix 5.A](#) lists all violation notices received by the applicant, any subsidiary, affiliate, or persons controlled by or under common control with the applicant in connection with any surface coal mining and reclamation operation during the three (3) year period preceding the application.

Appendix 5.A

Notice of Violations

Navajo Mine Violation History

Date of Violation	Violation Number	Description of Violation	Date of Termination	Appeal Status	Mine Permit Number	MSHA Number	Mine or Person Served	Issuing Regulatory Authority
01/14/09	09-020-352-001	Failure to maintain roads ditches	1/20/09	N/A	NM0003-F	29-00097	Tim Ramsey	OSM
02/05/09	09-020-190-01	Failure to have seismograph record	Not Applicable	N/A	NM0003-F	29-00097	Kent Applegate	OSM
03/19/09	C09-020-352-001	Failure to prevent flyrock from traveling beyond permit areas.	3/27/09	N/A	NM0003-F	29-00097	Kent Applegate	OSM
08/18/09	09-020-190-002	Failure to comply with the terms and conditions of the approved permit, specifically, failure to comply with the requirements of the approved plan for the Chinde Diversion.	1/20/10	N/A	NM0003-F	29-00097	Kent Applegate	OSM
08/20/09	09-020-082-001	Failure to conduct surface coal mining and reclamation operations as described in permit (Construction of Cottonwood Crossing)	9/18/09	N/A	NM0003-F	29-00097	Collette Brown	OSM
02/23/10	N10-020-190-01	Failure to comply with terms and conditions of the approved permit; specifically, failure to route discharge from pond 5 at the north facilities through pond 1 as required by the approved permit.	3/2/10	N/A	NM0003-F	29-00097	Tim Ramsey	OSM
5/14/10	CO10-020-190-01	Failure to prevent flyrock from traveling beyond the permit boundary	5/21/10	N/A	NM0003-F	29-00097	Tim Ramsey	OSM

Date of Violation	Violation Number	Description of Violation	Date of Termination	Appeal Status	Mine Permit Number	MSHA Number	Mine or Person Served	Issuing Regulatory Authority
11/4/10	N10-020-82-001	The permittee failed to conduct all surface coal mining and reclamation operations only as described in the approved application (Blasting in Area 4 North)	11/04/10	N/A	NM0003-F	29-00097	Tim Ramsey	OSM
11/18/10	N10-020-190-04	Failure to conduct all surface coal mining and reclamation operations only as described in the approved permit (Blasting in Dixon Pit). The violatin referred to Job: 63DX6B-7, detonated 10/18/10; and Job: 63DX8A-8, detonated 9/14/10.	Not Applicable	N/A	NM0003-F	29-00097	Tim Ramsey	OSM
6/14/11	N11-020-157-003	The permittee failed to conduct all surface coal mining and reclamation operations only as described in the approved application by failing to rip coal in accordance with procedures outline in Appendix 11-C.	6/16/11	N/A	NM0003F	29-00097	Pat Risner	OSM
12/15/11	CO11-020-190-01	Failure to prevent fly rock form traveling beyond the permit boundary (Shot 64LW3B-3)	12/19/11	N/A	NM0003-F	29-00097	Pat Risner	OSM

San Juan Mine Violation History

Date of Violation	Violation Number	Description of Violation	Date of Termination	Appeal Status	Mine Permit Number	MSHA Number	Mine or Person Served	Issuing Regulatory Authority
1/14/09	701	Failure to comply with the approved regrade schedule. Approximately 25 acres at the Tumbleweed Pit had not been regraded by the end of 2008, as approved	2/23/09	Not Appealed	04-01	29-02170	Tim Ramsey	MMD

La Plata Mine Violation History

Date of Violation	Violation Number	Description of Violation	Date of Termination	Appeal Status	Mine Permit Number	MSHA Number	Mine or Person Served	Issuing Regulatory Authority
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There have been no violations issued to the La Plata Mine in the last three years