

SECTION 5

COMPLIANCE INFORMATION

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Notice of Violations

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COMPLIANCE INFORMATION

LIST OF REVISIONS DURING PERMIT TERM

REV. NUMBER	REVISION DESCRIPTION	DATE APPROVED
1404	2014 Navajo Mine Permit Renewal	

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 Transitional Energy Company
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
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There have been no violations issued to Navajo Transitional Energy Company at Navajo Mine in the last three years

*BHP Billiton New Mexico Coal, Inc.
BHP Billiton Mine Management Company
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
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
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 violation 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
4/30/12	N12-020-537-001	Failure to certify the A4N West Perimeter primary road prior to usage as a primary road for coal haulage. 30CFR 816.151(a)	6/19/12	NA	NM0003F	29-00097	Tim Ramsey	OSM
9/30/2013		Payment of the AML late fee	1/18/14	N/A	NM003F	29-00097	Navajo Mine	OSM

*BHP Billiton New Mexico Coal, Inc.
San Juan Coal Company
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
9/30/13	717	Failure to conduct all surface coal mining and reclamation operations described in the approved permit (Historic property inadvertently disturbed by road construction prior to mitigation). The violation referred to as: Green Frame Boulevard Impact to LA 119301. BNCC has complied with the remedial action required by the State of New Mexico, Energy, Minerals and Natural Resources Department, Mining and Minerals Division, which includes construction of permanent fencing to protect the site from future disturbances.		N/A	2009-01	29-02170	San Juan Mine	MMD
9/30/13		Payment of the AML late fee	1/18/14	N/A	2009-01	29-02170	San Juan Mine	OSM
5/14/14	720	Failure to comply with the terms and conditions of Permit 2009-01. Specifically, failure to make the certified as-built drawing for Sediment Pond 22 available to the MMD mine inspector upon request at the May 8, 2014 inspection.	Pending	N/A	2009-01	29-02170	San Juan Mine	MMD

*BHP Billiton New Mexico Coal, Inc.
 San Juan Coal Company
 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 San Juan Coal Company at La Plata Mine in the last three years