



**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF MINING PROGRAMS**

**Inspection Report**

Version: 4.0.3

<b>Inspection Type</b>	RTPT - Routine/Partial Inspection	<b>Permit Number</b>	19000201
<b>DEP Office</b>	EP DMO Pottsville Dstr Mng Off	<b>NPDES Number</b>	
<b>Permittee Name</b>	MID VALLEY COAL SALES INC	<b>PF Name</b>	MID VALLEY COAL SALES CONYNGHAM MINE
<b>Address 1</b>	212 W CHERRY ST	<b>Permit Type</b>	CMO - Coal Mining Operation
<b>Address 2</b>		<b>Permit Kind</b>	CRR - Refuse Reprocessing
<b>City</b>	MT CARMEL	<b>License Number</b>	5633
<b>State/ZIP Code</b>	PA 17851-1218	<b>Permit Status</b>	ACTIV - Active
<b>Arrival Date / Time</b>	11/22/2023 10:00 AM	<b>Municipality</b>	Conyngham Township
<b>Depart Date / Time</b>	11/22/2023 11:30 AM	<b>County</b>	Columbia
<b>Inspection ID</b>	3653531	<b>GP12 Permit Number</b>	
<b>Contract Operator Name</b>	FOX COAL CO INC	<b>Contract Operator License Number</b>	17977
		<b>Complaint Number</b>	

**Inspector Details**

<b>Inspector Name:</b>	MARK D BRODA	<b>Inspector Telephone Number:</b>	(570) 621-3477	<b>Inspector Email:</b>	mbroda@pa.gov
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**Expiration Dates**

<b>Mining License</b>	08/31/2023 PENDING	<b>Contractor License</b>	--/--/----
<b>Mining Permit</b>	09/11/2027	<b>NPDES Permit</b>	--/--/----

**Person Notified**

<b>Name</b>	Vince Gaurna	<b>Title</b>	Superintendent
<b>Method</b>	Verbal	<b>Date</b>	11/22/2023

**Inspection Result**

VIOLS - Violation(s) Noted

**Findings**

**Erosion & Sedimentation**

Approved E&S Plan	<input checked="" type="checkbox"/> Inspected	Sediment Control Measures	<input checked="" type="checkbox"/> Inspected
Sump/Sediment Traps	<input checked="" type="checkbox"/> Inspected		

**Operations**

**Financial Guarantee Obligations**

Inspected



**Remark** The Department has reviewed and approved your application to participate in the LRFG assistance program. \$130,456.00 as applied for on 12-5-2015, \$36,464.00 as applied for on 2-2-2018 and \$119,991.00 as applied for on 6-1-2020. The total site LRFG total amount under this March 21,2022 application is \$153,869.00. The total LRFG for this operation is \$286,911.00 (existing) plus additional \$153,869.00 for a total of \$440,780.00. The LRFG number is 4810-187CFG. The annual fee for utilizing the LRFG is \$6,611.70 due annually 9-11.

General Backfilling	<input checked="" type="checkbox"/> Inspected	Haul Roads	<input checked="" type="checkbox"/> Inspected
Mining Operation	<input checked="" type="checkbox"/> Inspected	Permit Conditions	<input checked="" type="checkbox"/> Inspected
Signs and Markers	<input checked="" type="checkbox"/> Inspected	Support Facilities	<input checked="" type="checkbox"/> Inspected
Unauthorized Mining	<input checked="" type="checkbox"/> Inspected		

**Reclamation**

**Remark** Module 19 Revegetation:

19.2 Permanent Cover:

- Deer Tongue
- Weeping Love Grass
- Birdsfoot Trefoil
- Annual Rye

19.4 Woody Plants:

Hardwoods:

- Hybrid Poplar
- Evergreen Alder
- Black Locust

Conifers:

- Austrian Pine
- White or Red Pine
- Norway Spruce
- European Larch



Shrub:

- Autumn Olive
- Crabapple
- Brisly Locust

Module 20 Post Mining Land Use:

20.1 Proposed Post Mining Land Use:

Unmanaged Natural Habitat and Forestland

<b>General Backfilling</b>	 Inspected	<b>Permit Conditions</b>	 Inspected
<b>Mining Area/Bonding</b>			

**Adequate Bonding**

Inspected 

**Remark** Current bond requirements:

206,940 CY Backfilling. \$165,552.00

151.5 acres Selective Grading. \$257,550.00

165.4 acres Revegetation. \$330,800.00

165.4 acres Trees. \$12,405.00

Equipment \$1,600.00

**Water Monitoring**

**HMR Submittals**

Inspected




**Remark** The monthly and quarterly self monitoring data for the third quarter 2023 has been submitted to the PDMO.

The operator must be certain that all required samples are collected and tested as permit requirements dictate. In the event a sample is not collected or there is an unforeseen occurrence at the laboratory the operator must report the situation to the SMCI immediately to initiate a plan for corrective actions.

**Safety**

**Roads:**

 Inspected

✓Berms

✓Traffic Patterns

✓Drainage

✓Haul Road

**Compliance**

**Pattern Of Violations**

 Inspected

**Coal Refuse Disposal**

**Area Approved for Disposal**

Inspected



**Remark** Module 10: Operational Information

10.2 All refuse/silt material is loaded and transported to the onsite screening plant for processing. Any reject material which is not removed from the site is generally clean rock. The material is disposed of onsite and/or used to construct haul roads or to stabilize erodible areas. All reject material is placed on high ground away from any water course or drainage channel.

<b>- Violation 8166977-</b>			
<b>Code and Description</b> 88.314 - Failure to extinguish fires or hot spots			
<b>Type</b>	NOV - Notice of Violation	<b>Date</b>	11/22/2023
<b>Date Scheduled Response</b>	12/12/2023		
<b>Violation Details &amp; Corrective Actions</b>	Failure to immediately extinguish fires and/or hot spots on the approved permit area in accordance with an authorized plan. This is also a Violation of SMCRA. 4.2A- General Safety Violations for Coal Mining Operations including pit water accumulations by creating an unsafe or hazardous condition.		

This Report is official notification that a representative of the Department of Environmental Protection has conducted an investigation of your operation. Violations observed by the Department have been noted on this report form.

If the Department uncovers any violations based on laboratory reports or further consideration of the conditions described in this report, the District Office will notify you of such violations in writing.

If an order was issued by the Department, you will be provided with a written confirmation of that order. You should not wait until you receive this confirmation Order before taking appropriate action.

This report does not constitute an order or other appealable action of the Department. Nothing contained herein shall be deemed to grant or imply immunity from legal actions for any violation noted herein.

A site meeting was conducted on 11-22-2023. Attending for the Department Compliance Manager Ross Klock, SMCIS Amiee Bollinger, also present was Bureau of Mine Safety Anthracite Division Chief Troy Wolfgang, and Inspector Jeff Harman. Representing Mid-Valley Coal Company Inc. Vince and Matthew Guarna. During this meeting Mr. Guarna was notified that the Department will be issuing a Notice of Violation, for 25 Pa Code section 88.314 subchapter D, Coal Refuse Disposal: Burning and SMCRA 4.2 General Rule Making: Health and Safety to Mid-Valley Coal Company Inc. Mid-Valley Coal Company is required to submit a new plan depicting the procedure on how they will extinguish the fire to the Bureau of Mine Safety Anthracite Division, Attention: Troy Wolfgang before 12-12-2023.

Access gate was unlocked and open. Mining was active during this inspection. A loader, dozer, track hoe, off road haul truck and screening unit were being utilized for refuse removal activities. Track hoe, dozer and off road truck are utilized for removing coal/ overburden on the surface mining area.

A site meeting was held during this 11-28-2023 inspection. Attending for the Department: Compliance Manager Ross Klock, SMCIS Amiee Bollinger and myself. Also present was Jeff Harman from the Bureau of Mine Safety Anthracite Division. Representing Mid-Valley Coal Company Inc. Matthew Guarna. The purpose of this meeting was to review the requirements of the NOV regarding the extinguishing of the on site refuse bank fire. It is noted that a future bond review of the site will be required to be conducted as conditions dictate.

A meeting was held 12-22-2022 at the U.S. Department of Labor, Mine Safety and Health Administration, Frackville Office. Attending for the Department Troy Wolfgang and myself, Tom Yenchko , Christian Epting and Todd Henderson were present from MSHA. Representing Mid-Valley Coal Matthew Guarna. The purpose was to discuss a mine fire on the south west area of the mine. The Operator stated, the fire may have been started by trespassers lighting tires on fire. The operator was required by MSHA to submit a written plan of action for remediation of the coal refuse fire. The plan shall additionally include any and all methods to protect the health and safety of the miners.

Mining license expiration date 8/31/2023, the Departments E-facts system currently depicts a pending status. Mining Permit expiration date 9/11/2027. Contract operator Fox Coal Company Inc. license number 17977 expiration date 7/31/2023. The bond liability has been recalculated utilizing the 2022 bonding rates plus the 5 year inflation factor. Total bond currently posted in the amount of \$881,559.34. Total bond currently required pursuant the 2022 bond review is in the amount of \$881,559.34.

NPDES General permit for stormwater associated with mining (GP- 104) number PAM117000C has been issued. Coverage under this permit expires 3-27-2026.