

STATE OF WEST VIRGINIA
Department of Environmental Protection
Environmental Enforcement
NOTICE OF VIOLATION

Violation No **W18-19-047-TAG**

To the Operator or Agent of:

Facility Name: **RAN 5 Project** Permit No. **WVR108876**

Permittee or Individual: **ROXUL USA INC.**

Located at or near: **Ranson**, in **Jefferson** County

Representative: **KENNETH J. CAMMARATO** Date: **09/11/18** Time: 3:00pm

Address / phone number: **4594 CAYCE RD, BYHALIA, MS 38611 / 6628514734**

Whereas, an inspection of the above named operation by the undersigned, duly authorized agent of the Secretary, at which the following described condition or practice exists, in violation of Chapter **22**, Article **11**, Section(s) **1 et. Seq.** of the Code of West Virginia and/or Section(s) of the Rules and Regulations and/or Section(s) **(D., F., & G.)** of the Permit referenced above promulgated thereunder in that you: **Have violated the following terms and conditions of WV/NPDES General Water Pollution Control Permit No. WV0115924, Registration No. WVR108876:**

- 1. Section D.1. - Permittee has failed to properly operate and maintain all systems of treatment and controls- Drop inlets near the central area of the project are in need of maintenance.**
- 2. Section G.4.e.2. - Permittee has failed to properly implement controls: Filter sock improperly installed. SWPPP plan calls for triple stack filter sock at the end of the rock outlet protection for sediment basin 1.**
- 3. Section G.4.e.2.A.ii.c. - Permittee has failed to provide inlet protection for sediment control structure near the forebay of SB 1.**
- 4. Section G.4.e.2.A.ii.f. - Permittee has failed to protect fill slopes near the forebay of SB 1.**
- 5. Section G.4.e.2.A.i.b. - Failed to provide interim stabilization on areas where construction activities have temporarily ceased for more than 14 days. Area noted was near the forebay of Basin 1.**
- 6. Section F.2.a. - Failed to report noncompliance, which may have endangered health or the environment, to the designated WVDEP spill alert telephone number (800-642-3074). Sinkhole was observed in basin 1 and was not reported.**

The following corrective measures were discussed with you at the time of this inspection. I spoke with Chip Mullenex on 09/25/18 of findings:

Take measures to correct the aforementioned violations.

Within **20** days provide a written response to the inspector named below, at the address indicated, detailing the actions taken to abate this violation.

Received by:

Sent Certified Mail--70180040000047937006

Signature

Title



Duly Authorized Agent /
Inspector

304-703-5320
Telephone

Tommy.a.george@wv.gov
E-mail

Send Response to the Inspector at the address indicated below:

WV Department of Environmental Protection
Environmental Enforcement / WW
22288 Northwestern Pike, Romney, WV 26757-8005

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ROXUL USA INC.
 Attn: KENNETH J. CAMMARATO
 4594 CAYCE RD
 BYHALIA, MS 38611



7124 9853 86

2. Article No.

7018 0040 0000 4793 7006

Service (label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Handwritten Signature]

X

Agent
 Addressee

B. Received by (Printed Name)

[Handwritten Name]

C. Date of Delivery

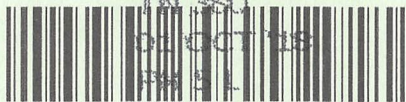
[Handwritten Date]

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Registered Mail
- Registered Mail Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

USPS TRACKING#



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 3080 7124 9853 86

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RECEIVED

Office of Mining & Reclamation WV DEP

OCT 04 2018

Environmental Enforcement
1159 Nick Rahall Greenway
Fayetteville, WV 25840

FAYETTEVILLE

