



Safety lapses to blame for Kentucky coal miner's death, feds say | Lexington Herald Leader

 kentucky.com/news/state/article214751275.html

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NOV 30 2018

James R. Boyle, Executive Secretary
Environmental Quality Council

Kentucky's lone coal-mining death this year happened because of safety lapses by the company and miners, according to a federal report.

Hubert Grubbs Jr., 29, died on March 28 in Harlan County when he got snagged in a moving conveyor belt, the U.S. Mine Safety and Health Administration said in its report on the accident.

The accident happened at the underground D-11 Panther mine near Cumberland, operated by Blackjewel L.L.C. Federal records list Jeffery A. Hoops as controller.

Grubbs and another miner, James Belt, had turned off the power switch to one of 12 conveyor belts — used to carry coal out of the mine — in order to make repairs.

As they worked, a mine examiner, Travis Saylor, came in contact with a power line to the conveyor belt system while driving a personnel carrier, pulling apart the wires.

When Saylor spliced the wires to fix the line, that inadvertently started the conveyor belt Grubbs was repairing, according to MSHA's report.

Saylor had not been trained to make that type of repair, the report said.

Another problem was that Grubbs and Belt had not disengaged, locked out and tagged a disconnect switch for the cable supplying power to the belt drive, the report said.

If the miners had done that, no one else could have returned power to the belt drive.

Belt told investigators that in most cases, workers at the mine locked out electrical power to the conveyor belt drive before starting repairs.

The miners didn't do that before the fatal accident because the repair crew, which usually included three workers, was one person short, the report said.

When the belt started moving, Grubbs got tangled in the loose end of a ratchet chain and was dragged over the rollers.

When Saylor realized something was wrong, he yanked apart the wires he had just spliced and the conveyor stopped, but it had moved about 585 feet with Grubbs on it, the report said.

Grubbs was still conscious and talking when other mines rushed to free him from the belt and try to stem his bleeding, but he stopped breathing about 50 minutes after the accident while

co-workers were taking him to the surface on a personnel carrier.

One miner performed cardiopulmonary resuscitation until the crew got Grubbs to a waiting ambulance about 10 minutes later, at 3:15 a.m., but Grubbs did not survive.

The accident happened because the mine operator allowed employees to take part in work on a conveyor belt without implementing proper lock-out and tag-out procedures to make sure the power was off, MSHA said in its report.

Then, the belt started because another improperly repaired an electrical circuit, according to the report.

MSHA cited the mine over the alleged violations.

The mine had 59 employees when the accident happened, with two shifts running coal and a third shift for maintenance.

It produced 219,193 tons of coal in 2017.

The mine's rate of work days lost because of non-fatal injuries last year was 4.09, compared to a national average of 3.66 for similar mines, MSHA said.

Grubbs' death is the only coal-related fatality in Kentucky this year, according to MSHA's records.

There have been five deaths total, three in West Virginia and one in Indiana. There were 15 coal-mining deaths nationwide in 2017, including two in Kentucky.

BUSINESS

Mine issued violation notices in bulldozer driver's death

The Associated Press

May 25, 2018 07:11 AM

Updated May 25, 2018 07:12 AM

BECKLEY, W.VA. — A mine in West Virginia has been issued three violation notices over the death of a man in a bulldozer that plunged 100 feet (30 meters) when the ground underneath gave way.

The Charleston Gazette-Mail reports that the state's Board of Coal Mine Health and Safety reviewed the death of 34-year-old Thurman Watts at a meeting Wednesday in Beckley. The state said Watts drove the bulldozer too close to a precipice on Dec. 29.

The state Office of Miners' Health, Safety and Training issued the violation notices to Revelation Energy LLC, the company that owns S7 Surface Mine. The federal Mine Safety and Health Administration said safe work practices weren't followed, that ground conditions were irregular and that operators must have control of mobile equipment.

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Violation Tracker Parent Company Summary

Parent Company Name: Revelation Energy

Ownership Structure: privately held

Headquartered In: West Virginia

Major Industry: mining and minerals

Specific Industry: coal mining

Penalty total since 2000: \$3,542,086

Number of records: 183

| Top 10 Primary Offense Types | Penalty Total | Number of Records |
|--------------------------------------|---------------|-------------------|
| workplace safety or health violation | \$2,686,086 | 163 |
| environmental violation | \$856,000 | 20 |

Notes:

Parent-subsidiary linkages are based on relationships current as of the latest revision listed in the [Update Log](#), which may vary from what was the case when a violation occurred. The penalty dollar total above may be adjusted to account for the fact that the list of entries below may include both agency records and settlement announcements for the same case; or else a penalty covering multiple locations may be listed in the individual records for each of the facilities. Duplicate penalty amounts are marked with an asterisk in the list below.

Associated Names:

APPOLO FUEL; APPOLO FUELS; BELL COUNTY COAL; BLEDSOE COAL; LAUREL MOUNTAIN RESOURCES; LAUREL MOUNTAIN RESOURCES 836 5639; REVELATION ENERGY; REVELATION ENERGY 836 0435

Individual Penalty Records:

Download results as [CSV](#) or [XML](#)

| Company | Primary Offense Type | Year | Agency | Penalty Amount |
|--|--------------------------------------|------|--------|----------------|
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$15,700 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$15,745 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$5,008 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$6,531 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$6,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$5,785 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$14,170 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$62,300 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$51,600 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$13,400 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$5,426 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$14,500 |

| <u>Company</u> | <u>Primary Offense Type</u> | <u>Year</u> | <u>Agency</u> | <u>Penalty Amount</u> |
|-----------------------------------|--------------------------------------|-------------|---------------|-----------------------|
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$20,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$6,800 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$6,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$48,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$6,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$62,300 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$5,426 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$7,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$6,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$7,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$13,400 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$13,400 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$29,800 |
| Revelation Energy, LLC | workplace safety or health violation | 2017 | MSHA | \$6,367 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$6,400 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$7,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$8,975 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$7,500 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$17,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$7,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$6,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$43,800 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$5,692 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$13,330 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$6,160 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$6,900 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$6,332 |
| Revelation Energy, LLC | workplace safety or health violation | 2018 | MSHA | \$8,975 |
| REVELATION ENERGY LLC. (826-0697) | environmental violation | 2015 | EPA | \$6,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2015 | MSHA | \$16,900 |
| Revelation Energy, LLC | workplace safety or health violation | 2015 | MSHA | \$15,500 |
| Revelation Energy, LLC | workplace safety or health violation | 2015 | MSHA | \$20,900 |
| Revelation Energy, LLC | workplace safety or health violation | 2015 | MSHA | \$20,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2015 | MSHA | \$5,600 |
| Revelation Energy, LLC | workplace safety or health violation | 2015 | MSHA | \$5,398 |
| Revelation Energy, LLC | workplace safety or health violation | 2015 | MSHA | \$6,200 |
| Revelation Energy, LLC | workplace safety or health violation | 2015 | MSHA | \$5,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2015 | MSHA | \$15,000 |
| Revelation Energy, LLC | workplace safety or health violation | 2015 | MSHA | \$24,600 |
| Revelation Energy, LLC | workplace safety or health violation | 2015 | MSHA | \$6,300 |
| Appolo Fuel | environmental violation | 2014 | EPA | \$135,000 |
| APPOLO FUELS, INC. | environmental violation | 2014 | EPA | \$135,000 |

| <u>Company</u> | <u>Primary Offense Type</u> | <u>Year</u> ▾ | <u>Agency</u> | <u>Penalty Amount</u> |
|---|--------------------------------------|---------------|---------------|-----------------------|
| <u>REVELATION ENERGY LLC (866-5180)</u> | environmental violation | 2014 | EPA | \$10,000 |
| <u>REVELATION ENERGY LLC (807-0446)</u> | environmental violation | 2014 | EPA | \$6,000 |
| <u>REVELATION ENERGY LLC (813-0389)</u> | environmental violation | 2014 | EPA | \$150,000 |
| <u>REVELATION ENERGY LLC (807-5252)</u> | environmental violation | 2014 | EPA | \$80,000 |
| <u>REVELATION ENERGY LLC (807-0451)</u> | environmental violation | 2014 | EPA | \$6,500 |
| <u>REVELATION ENERGY LLC (866-5180)</u> | environmental violation | 2014 | EPA | \$30,000 |
| <u>LAUREL MOUNTAIN RESOURCES LLC</u> | environmental violation | 2014 | EPA | \$150,000 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$36,230 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$14,000 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$10,000 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$94,000 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$12,000 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$20,300 |
| <u>Bledsoe Coal Corporation</u> | workplace safety or health violation | 2014 | MSHA | \$6,600 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$40,000 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$6,600 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$15,000 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$6,100 |
| <u>Bledsoe Coal Corporation</u> | workplace safety or health violation | 2014 | MSHA | \$5,600 |
| <u>Bledsoe Coal Corp</u> | workplace safety or health violation | 2014 | MSHA | \$16,400 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$108,800 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$6,100 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$6,420 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$6,860 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$6,515 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$107,400 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2014 | MSHA | \$28,000 |
| <u>REVELATION ENERGY LLC (866-8015)</u> | environmental violation | 2013 | EPA | \$55,000 |
| <u>REVELATION ENERGY LLC (807-8079)</u> | environmental violation | 2013 | EPA | \$6,000 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2013 | MSHA | \$9,100 |
| <u>Bledsoe Coal Corp</u> | workplace safety or health violation | 2013 | MSHA | \$11,000 |
| <u>Bledsoe Coal Corp</u> | workplace safety or health violation | 2013 | MSHA | \$14,700 |
| <u>Revelation Energy, LLC</u> | workplace safety or health violation | 2013 | MSHA | \$6,020 |
| <u>Bell County Coal Corporation</u> | workplace safety or health violation | 2013 | MSHA | \$20,000 |
| <u>Bledsoe Coal Corp</u> | workplace safety or health violation | 2013 | MSHA | \$40,000 |
| <u>LAUREL MOUNTAIN RESOURCES LLC (MULTIPLE)</u> | environmental violation | 2012 | EPA | \$11,000 |
| <u>REVELATION ENERGY LLC (836-0435)</u> | environmental violation | 2012 | EPA | \$8,000 |
| <u>Bledsoe Coal Corp</u> | workplace safety or health violation | 2012 | MSHA | \$8,600 |
| <u>Bledsoe Coal Corp</u> | workplace safety or health violation | 2012 | MSHA | \$7,000 |
| <u>Bledsoe Coal Corporation</u> | workplace safety or health violation | 2012 | MSHA | \$5,211 |
| <u>Bledsoe Coal Corporation</u> | workplace safety or health violation | 2012 | MSHA | \$8,421 |
| <u>Bledsoe Coal Corp</u> | workplace safety or health violation | 2012 | MSHA | \$6,600 |

| <u>Company</u> | <u>Primary Offense Type</u> | <u>Year</u> ▼ | <u>Agency</u> | <u>Penalty Amount</u> |
|--|--------------------------------------|---------------|---------------|-----------------------|
| Bell County Coal Corporation | workplace safety or health violation | 2012 | MSHA | \$5,250 |
| Bell County Coal Corporation | workplace safety or health violation | 2012 | MSHA | \$5,503 |
| Bell County Coal Corporation | workplace safety or health violation | 2012 | MSHA | \$5,400 |
| Bledsoe Coal Corporation | workplace safety or health violation | 2012 | MSHA | \$6,115 |
| Bledsoe Coal Corp | workplace safety or health violation | 2012 | MSHA | \$12,248 |

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Note: our penalty amounts include not only fines and monetary settlements but also costs such as supplementary environmental projects or consumer relief that companies are often compelled to undertake as part of settlements. If the settlement includes fines paid to state governments, those are included as well.

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PUBLIC NOTICE
U. S. ENVIRONMENTAL PROTECTION AGENCY, REGION 4
WATER PROTECTION DIVISION
GRANTS AND DRINKING WATER PROTECTION BRANCH
ATLANTA FEDERAL CENTER
61 FORSYTH STREET, S.W.
ATLANTA, GEORGIA 30303-8960

DATE: August 16, 2018

PUBLIC NOTICE No. SDWA-04-2018-1250

**Notice of Proposed Issuance of
Administrative Compliance Order on Consent**

The U.S. Environmental Protection Agency (EPA), Region 4 proposes to issue an Administrative Compliance Order on Consent (Order), Docket No. SDWA-04-2018-1250, to Revelation Energy, LLC (Respondent), with a business address of 13993 Kentucky Highway 550 East, Lackey, Kentucky 41643, under the authority of Section 1423(c) of the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300h-2(c) and 40 C.F.R. § 144.1.

The EPA alleges that Respondent violated statutory and regulatory requirements as provided in the SDWA, 42 U.S.C. § 300f, et seq., and found at 40 C.F.R. §§ 144.11, 144.51(a), (b), and (p), 146.8, 146.23(b)(1), 146.23(b)(2), and 146.23(c)(1), by failing to comply with requirements to provide annual monitoring reports, failing to comply with requirements to provide annual and quarterly fluid analysis reports, failing to properly plug and abandon an injection well after cessation of injection of two years or more, failing to maintain and demonstrate the mechanical integrity of the following underground injection wells, and for unauthorized underground injection, located in Harlan County, Kentucky.

| <u>Permit No.</u> | <u>EPA ID No.</u> | <u>Well Name</u> | <u>Well No</u> | <u>Status</u> | <u>County</u> |
|-------------------|-------------------|----------------------|----------------|---------------|---------------|
| KYV0036 | KYV0950217 | #37 Underground Mine | #IW240 | Active | Harlan |
| KYV0036 | KYV0950218 | #37 Underground Mine | #IW241 | Active | Harlan |
| KYV0036 | KYV0950219 | #37 Underground Mine | #IW242 | Active | Harlan |
| KYV0036 | KYV0950220 | #37 Underground Mine | #IW243 | Active | Harlan |
| KYV0036 | KYS0950257 | #37 Underground Mine | #IW246 | Active | Harlan |
| KYV0036 | KYV0950258 | #37 Underground Mine | #IW248 | Active | Harlan |
| KYV0056 | KYV1590103 | Pond Creek Mine | #1 | Inactive | Harlan |
| KYV0056 | KYV1590104 | Pond Creek Mine | #2 | Inactive | Harlan |

Any person wishing to comment on any aspect of the proposed Order may submit such comments in writing to Anthony Shelton at U.S. EPA, Atlanta Federal Center, 61 Forsyth Street, S.W., Atlanta, Georgia, 30303 or via email at shelton.tony@epa.gov. Comments must be submitted within thirty (30) days of the date of this notice. Please include the Public Notice Number and the Docket Number with any submitted comments.

FOR FURTHER INFORMATION: Persons wishing to comment upon the proposed Order should contact Anthony Shelton at shelton.anthony@epa.gov. Unless otherwise noted, the public record for this action is located at the EPA Regional Office at 61 Forsyth Street, S.W., Atlanta, Georgia, and the file will be open for public inspection between 9:00 a.m. and 4:00 p.m., Monday through Friday.

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4**

IN THE MATTER OF

**Revelation Energy, LLC
13993 Kentucky Highway 550 East
Lackey, Kentucky 41643**

Respondent.

**Administrative Compliance Order
On Consent**

Docket No. SDWA-04-2018-1250

I. STATUTORY AUTHORITY

1. The following Findings of Fact are made and this Administrative Compliance Order on Consent (“AOC”) is issued pursuant to the authority vested in the Administrator of the U.S. Environmental Protection Agency (“EPA”) by Section 1423(c) of the Safe Drinking Water Act (“SDWA”), 42 U.S.C. § 300h-2(c). This authority has been delegated to the Regional Administrator of the EPA, Region 4, and further delegated by the Regional Administrator to the Director of the Water Protection Division of the EPA, Region 4.
2. Section 1423(a)(2) of the SDWA, 42 U.S.C. § 300h-2(a)(2), provides that, whenever the Administrator of the EPA finds that any person is in violation of any requirement of any applicable underground injection control (“UIC”) program, the Administrator may issue an order requiring the person to comply with such requirement.
3. Section 1450 of the SDWA, 42 U.S.C. § 300j-9, authorizes the Administrator to prescribe such regulations as are necessary or appropriate to carry out his functions under the SDWA. These regulations are found at 40 C.F.R. Parts 124, 144, 146, 147, and 148, and set forth requirements for the UIC program promulgated under Part C of the SDWA, 42 U.S.C. § 300h, et seq.
4. Injection well owners and operators are required to comply with the UIC program requirements. The UIC program for Class V wells in the Commonwealth of Kentucky, including all Indian lands, is administered by the EPA. See 40 C.F.R. § 147.901(a).

II. FINDINGS OF FACT AND LAW

The EPA finds, and the parties hereby stipulate, as follows:

5. Revelation Energy, LLC (“Respondent”) is a limited liability company doing business in the Commonwealth with a principal address of 13993 Kentucky Highway 550 East, Lackey, Kentucky 41643.
6. Respondent is a “person” as defined in Section 1401(12) of the SDWA, 42 U.S.C. § 300f(12), and 40 C.F.R. § 144.3.

7. Respondent is the owner or operator, as defined in 40 C.F.R. § 144.3, of the following Class V coal slurry injection wells that are subject to this AOC (each a “Subject Well” and collectively the “Subject Wells”):

| <u>Permit No.</u> | <u>EPA ID No.</u> | <u>Well Name</u> | <u>Well No</u> | <u>Status</u> | <u>County</u> |
|-------------------|-------------------|----------------------|----------------|---------------|---------------|
| KYV0036 | KYV0950217 | #37 Underground Mine | #IW240 | Active | Harlan |
| KYV0036 | KYV0950218 | #37 Underground Mine | #IW241 | Active | Harlan |
| KYV0036 | KYV0950219 | #37 Underground Mine | #IW242 | Active | Harlan |
| KYV0036 | KYV0950220 | #37 Underground Mine | #IW243 | Active | Harlan |
| KYV0036 | KYV0950257 | #37 Underground Mine | #IW246 | Active | Harlan |
| KYV0036 | KYV0950258 | #37 Underground Mine | #IW248 | Active | Harlan |
| KYV0056 | KYV1590103 | Pond Creek Mine | #1 | Inactive | Martin |
| KYV0056 | KYV1590104 | Pond Creek Mine | #2 | Inactive | Martin |

8. Each of the Subject Wells is a “facility” as defined in 40 C.F.R. § 144.3.
9. On January 8, 2012, the EPA issued the UIC Permit No. KYV0036 for the Subject Wells to Resources Land Company, LLC.
10. On May 3, 2016, the EPA modified the UIC Permit No. KYV0036, to reflect the transfer from Resources Land Company, LLC to Respondent, with an effective date of May 3, 2016.
11. On December 6, 2012, the EPA issued the UIC Permit No. KYV0056 for the Subject Wells to Pontiki Coal, LLC.
12. On November 6, 2014, the EPA modified the UIC Permit No. KYV0056 to reflect the transfer from Pontiki Coal, LLC, to Respondent, with an effective date of November 6, 2014.
13. The Subject Wells were permitted in accordance with 40 C.F.R. § 144.31 and are subject to the requirements of the SDWA and the UIC regulations.
14. During the month of October 2017, the EPA Region 4 UIC Program staff conducted field inspections and file reviews of the Subject Wells.
15. Following the October 2017 UIC inspections and file reviews, the EPA Region 4 UIC Program staff has been corresponding with Respondent regarding the compliance status of the Subject Wells.
16. On June 21, 2018, the Respondent participated in a show cause meeting with the EPA.
17. The SDWA 42 U.S.C. § 300f, *et seq.*, and 40 C.F.R. § 144.51(a) require the permittee, of a permitted UIC well, to comply with all conditions of the permit.
18. In accordance with Part II, Section E, Paragraph 3(a), of the UIC permits, and 40 C.F.R. § 144.51(b), if the permittee wishes to continue an activity regulated by this permit after the expiration

date of this permit, the permittee must apply for and obtain a new permit.

19. Part II, Section E, Paragraph 3(b)(1) of the UIC permits, and 40 C.F.R. § 144.37(a)(1), require the permittee to timely submit a complete application for continuation of the expiring permits. The conditions of an expired permit may continue in force under 5 U.S.C. § 558(c), until the effective date of a new permit, if the permittee has timely submitted a complete application for the new permit.

20. The UIC Permit Nos. KYV0036 and KYV0056, expired on January 8, 2017 and December 6, 2017, respectively. Respondent submitted to the EPA renewal applications for the UIC Permit Nos. KYV0036 and KYV0056 on December 8, 2017 and December 5, 2017, respectively. As stated in the January 24, 2018 and February 1, 2018 letters to Revelation Energy's permit application preparers, the UIC permit writer identified the two renewal applications to be administratively incomplete. Specifically, the Respondent failed to provide a map that shows a minimum Area of Review (AoR) around the subsurface injection area; a list of property owners located within the AoR; an inventory of oil and gas wells, drinking water wells (public or private), and any other potential break in confinement; and failed to conduct Endangered Species Act and National Historic Preservation Act evaluations for the well locations in the AoR. Thus, the renewal application for UIC Permit No. KYV0036 was neither complete nor timely and the renewal application for UIC Permit No. KYV0056 was incomplete. Therefore, Respondent is in violation of the UIC permits, 40 C.F.R. § 144.51(a) and (b), and the SDWA for failure to submit complete permit applications in a timely manner to obtain new permits.

21. Since the permit extension requirements found at Part II, Section E, Paragraph 3(b)(1) of the UIC permits and 40 C.F.R. § 144.37(a)(1) were not completed prior to the expiration dates of UIC Permit Nos. KYV0036 and KYV0056, the conditions of the expired permits no longer continue in force under 5 U.S.C. § 558(c).

22. 40 C.F.R. § 144.11 prohibits any underground injection or construction of an underground injection well that is not authorized by rule or by an issued permit. Therefore, Respondent is in violation of 40 C.F.R. § 144.11 and the SDWA for unauthorized underground injection into the Subject Wells, following the expiration dates of UIC Permit Nos. KYV0036 and KYV0056.

23. Part II, Section G, Paragraph 3, of the UIC permits, requires that a demonstration of mechanical integrity in accordance with 40 C.F.R. § 146.8 be made no later than five (5) years from the last approved demonstration for the Subject Wells.

24. Respondent failed to demonstrate mechanical integrity of active permitted wells, as shown below:

| <u>Permit No.</u> | <u>EPA ID No.</u> | <u>Well</u> | <u>Status</u> | <u>Last MIT</u> | <u>MIT Due</u> |
|-------------------|-------------------|-----------------------------|---------------|-----------------|----------------|
| KYV0036 | KYV0950257 | #37 Underground Mine #IW246 | Active | 6/21/12 | 6/21/17 |
| KYV0036 | KYV0950258 | #37 Underground Mine #IW248 | Active | 6/20/12 | 6/20/17 |

25. Therefore, Respondent is in violation of 40 C.F.R. § 146.8, the UIC Permit No. KYV0036, and the SDWA for failure to timely demonstrate the mechanical integrity of active permitted wells, as shown above.

26. Part II, Section F, of the UIC Permits requires the permittee after a cessation of injection for two (2) years, to close, plug, and abandon the Subject Wells, consistent with 40 C.F.R. § 146.10, and plugging plans incorporated as part of the UIC permit. The applicable permit condition at 40 C.F.R. § 144.51(p), requires the permittee to submit to the EPA Plugging and Abandonment (P&A) reports for the Subject Wells, within sixty (60) days after plugging a well or at the time of the next quarterly report (whichever is less).

27. The EPA's file reviews and statements made by Respondent during the October 2017 UIC inspections indicated that a cessation of injection for two (2) years took place at the wells shown below. Based on the EPA's file reviews and conversations with Respondent during the October 2017 UIC inspection, it was confirmed that Respondent failed to properly close, plug, or abandon those wells following that cessation of injection activities at the wells shown below:

| <u>Permit No.</u> | <u>EPA ID No.</u> | <u>Well</u> | <u>Last MIT Date</u> | <u>P&A Report</u> |
|-------------------|-------------------|-----------------------------|----------------------|-----------------------|
| KYV0036 | KYV0950217 | #37 Underground Mine #IW240 | 3/12/08 | Not Submitted |
| KYV0036 | KYV0950218 | #37 Underground Mine #IW241 | 3/14/08 | Not Submitted |
| KYV0036 | KYV0950219 | #37 Underground Mine #IW242 | 3/14/08 | Not Submitted |
| KYV0036 | KYV0950220 | #37 Underground Mine #IW243 | 3/14/08 | Not Submitted |
| KYV0056 | KYV1590104 | Pond Creek Mine #2 | None | Not Submitted |

28. Therefore, Respondent is in violation of 40 C.F.R. § 144.51(a) and (p), the UIC Permit Nos. KYV0036 and KYV0056, and the SDWA, for failure to properly close, plug, and abandon the inactive Subject Wells in accordance with permit conditions, as shown above.

29. SDWA, 42 U.S.C. § 300f, et seq., 40 C.F.R. §§ 146.23(b)(2), 146.23(c)(1) and 144.51(a), and Part I, Section D, Paragraph 2, of the UIC Permits, requires the permittee to monitor weekly the operation of the injection wells, including injection pressure at the wellhead, flow rate and cumulative volume of the injected fluid. Part I, Section E, Paragraph 2 of the UIC permits requires the permittee to submit the monitoring results to the EPA, using EPA Form 7520-11, by January 28th of the subsequent year.

30. The EPA's records indicate Respondent failed to submit annual monitoring reports for the Subject Wells, as shown below:

| <u>Permit No.</u> | <u>EPA ID No.</u> | <u>Well</u> | <u>Status</u> | <u>Last Monitoring Report</u> |
|-------------------|-------------------|-----------------------------|---------------|-------------------------------|
| KYV0036 | KYV0950217 | #37 Underground Mine #IW240 | Active | Year 2015 |
| KYV0036 | KYV0950218 | #37 Underground Mine #IW241 | Active | Year 2015 |
| KYV0036 | KYV0950219 | #37 Underground Mine #IW242 | Active | Year 2015 |
| KYV0036 | KYV0950220 | #37 Underground Mine #IW243 | Active | Year 2015 |
| KYV0036 | KYV0950257 | #37 Underground Mine #IW246 | Active | Year 2016 |
| KYV0036 | KYV0950258 | #37 Underground Mine #IW248 | Active | Year 2015 |
| KYV0056 | KYV1590103 | Pond Creek Mine #1 | Inactive | None |
| KYV0056 | KYV1590104 | Pond Creek Mine #2 | Inactive | None |

31. Therefore, Respondent is in violation of 40 C.F.R. §§ 146.23(b)(2), 146.23(c)(1) and 144.51(a),

the UIC Permit Nos. KYV0036 and KYV0056, and the SDWA for failing to submit annual monitoring reports for the Subject Wells, as shown above.

32. SDWA, 42 U.S.C. § 300f, et seq., 40 C.F.R. §§ 146.23(b)(1), 146.23(c)(1) and 144.51(a), and Part I, Section D, Paragraph 3, of UIC Permit No. KYV0036, requires the permittee to conduct injection fluid analyses prior to injection, annually thereafter, and whenever changes are made to the injection fluid. Part I, Section E, Paragraph 2 of the UIC permit requires the permittee to submit the injection fluid analysis results to the EPA, prior to injection and annually thereafter.

33. The EPA's records show that Respondent has failed to timely submit annual injection fluid analysis results for permitted wells, as shown below:

| <u>Permit No.</u> | <u>EPA ID No.</u> | <u>Well</u> | <u>Status</u> | <u>Injection Fluid Analyses</u> |
|-------------------|-------------------|-----------------------------|---------------|---------------------------------|
| KYV0036 | KYV0950217 | #37 Underground Mine #IW240 | Active | Not submitted |
| KYV0036 | KYV0950218 | #37 Underground Mine #IW241 | Active | Not submitted |
| KYV0036 | KYV0950219 | #37 Underground Mine #IW242 | Active | Not submitted |
| KYV0036 | KYV0950220 | #37 Underground Mine #IW243 | Active | Not submitted |
| KYV0036 | KYV0950257 | #37 Underground Mine #IW246 | Active | Not submitted |
| KYV0036 | KYV0950258 | #37 Underground Mine #IW248 | Active | Not submitted |

34. Therefore, Respondent is in violation of 40 C.F.R. §§ 146.23(b)(1), 146.23(c)(1) and 144.51(a), the UIC Permit No. KYV0036, and the SDWA for failure to submit to the EPA annual fluid analysis results for the Subject Wells, as shown above.

35. SDWA, 42 U.S.C. § 300f, et seq., 40 C.F.R. §§ 146.23(b)(1), 146.23(c)(1) and 144.51(a), and Part I, Section D, Paragraph 3, of the UIC Permit No. KYV0056, requires the permittee to conduct injection fluid analyses, prior to injection and each calendar quarter thereafter, and whenever changes are made to the injection fluid. Part I, Section E, Paragraph 2 of the UIC permit requires the results of injection fluid analyses, to be submitted every three (3) months, postmarked by the 15th day of the following month (January 15th, April 15th, July 15th October 15th).

36. The EPA's records show that Respondent has failed to timely submit annual injection fluid analysis results for permitted wells, as shown below:

| <u>Permit No.</u> | <u>EPA ID No.</u> | <u>Well</u> | <u>Status</u> | <u>Injection Fluid Analyses</u> |
|-------------------|-------------------|--------------------|---------------|---------------------------------|
| KYV0056 | KYV1590103 | Pond Creek Mine #1 | Inactive | Not submitted |
| KYV0056 | KYV1590104 | Pond Creek Mine #2 | Inactive | Not submitted |

37. Therefore, Respondent is in violation of 40 C.F.R. §§ 146.23(b)(1), 146.23(c)(1) and 144.51(a), the UIC Permit No. KYV0056, and the SDWA for failure to timely submit to the EPA annual fluid analysis results for the Subject Wells, as shown above.

38. SDWA, 42 U.S.C. § 300f, et seq., 40 C.F.R. §§ 146.23(b)(1), 146.23(c)(1) and 144.51(a), and Part I, Section D, Paragraph 4, of UIC Permit Nos. KYV0036 and KYV0056, requires the permittee to conduct analysis of fluid samples, from the monitoring stations, every three months after the effective

date of the permit and every three months thereafter. Part I, Section E, Paragraph 2, of the UIC permits requires for the results of these fluid analyses to be submitted to the EPA, every three (3) months, postmarked by the 15th day to follow each calendar quarter (January 15th, April 15th, July 15th October 15th).

39. Respondent failed to submit the results of fluid analyses from the specified monitoring stations, as shown below:

| <u>Permit No.</u> | <u>Monitoring Station</u> | <u>Missing Quarterly Fluid Analysis Reports</u> |
|-------------------|---------------------------|---|
| KYV0036 | WMP-2 | 7/15/16; 4/15/17; 1/15/18 |
| KYV0036 | WMP-3A | 4/15/17; 1/15/18 |
| KYV0036 | WMP-4A | 10/15/16; 4/15/17; 1/15/18 |
| KYV0036 | WMP-5 | 7/15/16; 4/15/17; 1/15/18 |
| KYV0036 | WMP-7 | 7/15/16; 10/15/16; 1/15/1; 4/15/17; 1/15/18 |
| KYV0036 | WMP-8 | 7/15/16; 1/15/17; 1/15/18 |
| KYV0056 | PON-UIM-001 | 1/15/15; 4/15/15; 7/15/15; 10/15/15; 1/15/16; 4/15/16; 7/15/16; 10/15/16; 1/15/16; 4/15/16; 7/15/16; 10/15/16; 1/15/17; 4/15/17; 7/15/17; 10/15/17; 1/15/18 |
| KYV0056 | PON-UIM-002 | 1/15/15; 4/15/15; 7/15/15; 10/15/15; 1/15/16; 4/15/16; 7/15/16; 10/15/16; 1/15/16; 4/15/16; 7/15/16; 10/15/16; 1/15/17; 4/15/17; 7/15/17; 10/15/17; 1/15/18 |
| KYV0056 | PON-UIM-003 | 1/15/15; 4/15/15; 7/15/15; 10/15/15; 1/15/16; 4/15/16; 7/15/16; 10/15/16; 1/15/16; 4/15/16; 7/15/16; 10/15/16; 1/15/17; 4/15/17; 7/15/17; 10/15/17; 1/15/18 |
| KYV0056 | PON-UIM-004 | 1/15/15; 4/15/15; 7/15/15; 10/15/15; 1/15/16; 4/15/16; 7/15/16; 10/15/16; 1/15/16; 4/15/16; 7/15/16; 10/15/16; 1/15/17; 4/15/17; 7/15/17; 10/15/17; 1/15/18 |
| KYV0056 | PON-UIM-005 | 1/15/15; 4/15/15; 7/15/15; 10/15/15; 1/15/16; 4/15/16; 7/15/16; 10/15/16; 1/15/16; 4/15/16; 7/15/16; 10/15/16; 1/15/17; 4/15/17; 7/15/17; 10/15/17; 1/15/18 |

40. Therefore, Respondent is in violation of 40 C.F.R. §§ 146.23(b)(1), 146.23(c)(1) and 144.51(a), the UIC Permit Nos. KYV0036 and KYV0056, and the SDWA for failure to timely submit to the EPA annual fluid analysis results for the monitoring stations, as shown above.

41. Respondent admits to the jurisdictional allegations and Finding of Facts alleged above.

III. INJUNCTIVE RELIEF

Based upon the foregoing Findings of Fact and Law and under the authority of Section 1423(a)(2) of the SDWA, 42 U.S.C. § 300h-2(a)(2), THE DIRECTOR HEREBY ORDERS AND THE RESPONDENT HEREBY AGREES AND CONSENTS TO THE PROVISIONS OF THE PARAGRAPHS BELOW:

42. Within ninety (90) days of the Effective Date of the AOC, Respondent is ordered to submit

complete permit applications for permits KYV0036 and KYV0056 to the EPA in order to be considered for authorization for future underground injection. Alternatively, within ninety (90) days of the Effective Date of the AOC, Respondent must submit to the EPA sufficient documentation indicating that Respondent has ceased injection activities at all Subject Wells that would require further permit authorization.

43. Within ninety (90) days of the Effective Date of this AOC, Respondent is ordered to close, plug, and abandon or successfully demonstrate the mechanical integrity of the following wells listed below. Mechanical integrity testing or plugging and abandonment must be witnessed in-person by an EPA-authorized inspector.

| <u>UIC Permit No</u> | <u>EPA ID No.</u> | <u>Well Name</u> |
|----------------------|-------------------|-----------------------------|
| KYV0036 | KYV0950257 | #37 Underground Mine #IW246 |
| KYV0036 | KYV0950258 | #37 Underground Mine #IW248 |
| KYV0036 | KYV0950217 | #37 Underground Mine #IW240 |
| KYV0036 | KYV0950218 | #37 Underground Mine #IW241 |
| KYV0036 | KYV0950219 | #37 Underground Mine #IW242 |
| KYV0036 | KYV0950220 | #37 Underground Mine #IW243 |
| KYV0056 | KYV1590103 | Pond Creek Mine #1 |
| KYV0056 | KYV1590104 | Pond Creek Mine #2 |

44. Within ninety (90) days of the Effective Date of the AOC, Respondent is ordered to provide current fluid analysis reports to the EPA, for the following Subject Wells:

| <u>UIC Permit No.</u> | <u>EPA ID No.</u> | <u>Well Name</u> |
|-----------------------|-------------------|-----------------------------|
| KYV0036 | KYV0950217 | #37 Underground Mine #IW240 |
| KYV0036 | KYV0950218 | #37 Underground Mine #IW241 |
| KYV0036 | KYV0950219 | #37 Underground Mine #IW242 |
| KYV0036 | KYV0950220 | #37 Underground Mine #IW243 |
| KYV0036 | KYV0950257 | #37 Underground Mine #IW246 |
| KYV0036 | KYV0950258 | #37 Underground Mine #IW248 |

45. Within ninety (90) days of the Effective Date of the AOC, Respondent is ordered to provide current fluid analysis reports to the EPA, for the following monitoring stations:

| <u>UIC Permit No.</u> | <u>Monitoring Station</u> | <u>Upcoming Quarters</u> |
|-----------------------|---------------------------|--------------------------|
| KYV0036 | WMP-2 | Q4 |
| KYV0036 | WMP-3A | Q4 |
| KYV0036 | WMP-4A | Q4 |
| KYV0036 | WMP-5 | Q4 |
| KYV0036 | WMP-7 | Q4 |
| KYV0036 | WMP-8 | Q4 |
| KYV0056 | PON-UIM-001 | Q4 |
| KYV0056 | PON-UIM-002 | Q4 |
| KYV0056 | PON-UIM-003 | Q4 |

| | | |
|---------|-------------|----|
| KYV0056 | PON-UIM-004 | Q4 |
| KYV0056 | PON-UIM-005 | Q4 |

46. All reporting required by this AOC shall be submitted to the following address:

Anthony Shelton, Enforcement Officer
Ground Water and Underground Injection Control Section
Grants and Drinking Water Protection Branch
U.S. EPA – Region 4
61 Forsyth Street SW, Atlanta, GA 30303-8960

47. Respondent agrees to pay stipulated civil penalties for each violation of a condition set forth in Paragraphs 42, 43, 44, and 45 above, as follows:

- (a) \$300 for any portion of the first week (seven days) any failure continues; and
- (b) \$200 per day for each day after the first week (seven days) that the failure continues.

Stipulated penalties shall become due and payable no later than thirty (30) days after receipt of demand from the EPA. Payment shall be in the form of a certified or cashier's check made payable to the Treasurer of the United States of America, and sent to the following address:

U.S. Environmental Protection Agency
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, MO 63197-9000

A copy of the check shall be sent to the Ground Water and Underground Injection Control Section, Grants and Drinking Water Protection Branch, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, S.W., Atlanta, GA 30303-8960. Respondent shall state the docket number of this AOC on the face of any such check. The stipulated civil penalties set forth above shall be in addition to any other remedies or sanctions which are or may be available to the EPA.

IV. GENERAL PROVISIONS

48. The provisions of this AOC shall apply to and be binding upon Respondent and its officers, directors, agents, servants, employees, successors, and assigns. Notice of this AOC shall be given to any successors in interest prior to transfer of the ownership or operational control of the facility.

49. This AOC does not constitute a waiver, suspension, or modification of the requirements of Part C of the SDWA, 42 U.S.C. § 1421, et seq., or any regulations promulgated thereunder. This AOC is not, and shall not be interpreted to be, a permit for the injection of fluids under the SDWA.

50. The Respondent's compliance with this AOC does not necessarily constitute compliance with the provisions of the SDWA or its implementing regulations, nor shall it in any way relieve Respondent of any obligation imposed by any permit issued thereunder, or of Respondent's obligation to comply with any provision of the SDWA, its implementing regulations, or any other local, state, or federal law. Nothing contained herein shall be construed to prevent or limit the EPA's rights to obtain penalties or injunctive relief under Section 1423 of the SDWA or other federal statutes and regulations.

51. For the purposes of state and federal income taxation, Respondent shall not be entitled and agrees not to attempt to claim a deduction for any penalty payment made pursuant to this Order.

52. If any event beyond the control of Respondent, its successors or assigns, occurs which causes or may cause a delay in the achievement of any requirement of this AOC, Respondent shall notify the EPA orally within four (4) days of the time it has knowledge of the occurrence of such event. A written report of said event shall be submitted by certified mail to the EPA within ten (10) days of the date Respondent received knowledge of the event. This report shall describe the violation or failure, its cause and all attendant circumstances, and the measures taken or to be taken to prevent or minimize any such violation or failure and to comply with the pertinent requirements of this AOC as soon as possible, and the timetable by which those measures are proposed to be implemented.

53. The burden of proving that any violation or failure is caused by circumstances beyond the control of and without fault of Respondent and the length of the delay attributable to such circumstances shall rest with Respondent. Financial, economic, or business conditions or changes in same, unanticipated or increased costs or expenses, or problems relating to reasonably foreseeable technological infeasibility associated with the implementation of actions called for by this AOC, shall not relieve Respondent of any obligation imposed under the terms of this AOC, nor from payment of any penalty set forth in this AOC. The EPA will notify Respondent of its determination that certain circumstances are considered to be beyond Respondent's control and the extension of time, if any, for completion of the affected requirements. Respondent shall waive this right to any extension for failure to provide the EPA with verbal or written notice as provided herein or for failure to provide adequate proof of the cause of the delay.

54. If the EPA determines that all of the requirements of this AOC have been completed and implemented in accordance with this AOC, the EPA will provide notice to Respondent and this AOC shall be deemed terminated.

55. Each party shall bear its own costs and attorney's fees in connection with this action.

56. Respondent waives any and all claims for relief and otherwise available rights or remedies to judicial or administrative review which the Respondent may have with respect to any issue of fact or law set forth in this AOC, including, but not limited to, any right of judicial review of this AOC under the Administrative Procedure Act, 5 U.S.C. §§ 701-706. Respondent also waives any right to a hearing or to

appeal this AOC, including under Section 1423(c)(3)(A) and (D) of the SDWA, 42 U.S.C. § 300h-2(c)(3)(A) and (D), and consents to the issuance of this AOC without further adjudication.

57. Pursuant to Section 1423(c)(3)(B) of the SDWA, 42 U.S.C. § 300h-2(c)(3)(B), the EPA is providing public notice and an opportunity to comment on this AOC. This AOC will be issued after a thirty (30) day comment period and execution by an authorized representative of the EPA (the "Effective Date"). It will then become final and effective.

58. The undersigned representative of Respondent certifies that he or she is fully authorized to enter into the terms and conditions of this AOC and to execute and legally bind the Party he or she represents to this AOC.

IT IS SO AGREED,

BY REVELATION ENERGY, LLC:

Date: 8/15/2018



Todd Tackett
Sr. Vice President of Engineering

BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 4:

Date: _____

Jeaneanne M. Gettle
Director
Water Protection Division

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served a true and correct copy of the foregoing Administrative Compliance Order on Consent, in the Matter of Revelation Energy, LLC, Docket No. SDWA-04-2018-1250, on the parties listed below in the manner indicated:

Tony Shelton

Via EPA Internal Mail

Patrick Johnson

Via EPA Internal Mail

c/o Todd Tackett
Revelation Energy, LLC
13993 Kentucky Highway 550 East
Lackey, Kentucky 41643

Via Certified Mail/ Return Receipt Requested

Date: _____

Sylvia Sewell, Secretary
Grants and Drinking Water Protection Branch
United States Environmental Protection Agency, Region 4
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, GA 30303-8960
(404) 562-9438

Man dies in mining accident in Fayette County

thenewscenter.tv/content/news/Man-dies-in-mining-accident-in-Fayette-County-467167853.html

By Associated Press

FAYETTEVILLE, W.Va. (AP) - Officials say a man has died in a mine accident in West Virginia.



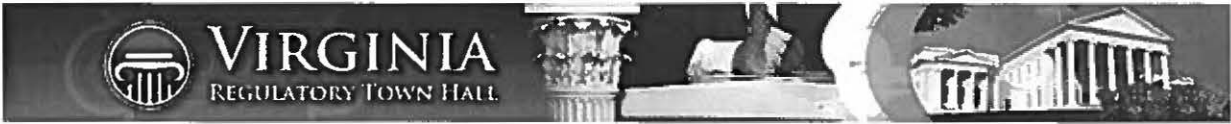
A statement from the state Office of Miners' Health, Safety and Training says Thurman Watts, 34, of Harts, died Friday morning at a mine operated by Revelation Energy LLC in Fayette County.

The statement said Watts died when the bulldozer he was operating went over a high wall.

Officials are investigating.

Gov. Jim Justice and Sen. Joe Manchin put out statements saying the death was heartbreaking and asking for prayers for Watts' family.

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Department of Mines, Minerals and Energy

Agency


Department of Mines, Minerals and Energy

Board

Meeting:

Informal Hearing to review the issuance of Cessation Orders JLB0000334 and JLB0000427 to Revelation Energy LLC PN 1102080.

Meeting Details

| | |
|---|--|
| Date / Time | 10/2/2018 10:00 am |
| Location | Big Stone Gap Office of the Department of Mines Minerals and Energy at 3405 Mountain Empire Road Big Stone Gap VA. |
| Board Website | http://www.dmme.virginia.gov |
| Agenda document |  Meeting Agenda 9/13/2018 (25k) |
| Minutes document | not available |
| Disability Friendly? Yes | Deaf interpreter available upon request? No |
| Purpose of the meeting An informal hearing (§4VAC25-130-843.15 VCSMRR) will be conducted at the Lebanon Office of DMME at 135 Highland Drive Lebanon, Virginia at 9:00 AM on October 2, 2018. The hearing is to review the issuance of Cessation Orders JLB0000334 and JLB0000427 issued to Revelation Energy LLC PN 1102080. Please be advised that the informal hearing will be open to the public. The Informal Hearing Officer may accept oral or written argument and any other information relevant to the issuance of the cessation orders. | |

Meeting Scope Public hearing to discuss a proposed change
Discuss particular regulations / chapters
X
General business

Contact Information

Name / Title: Harve A. Mooney / *Legal Services Officer*

Address: Department of Mines, Minerals and Energy
P.O. Drawer 900
Big Stone Gap, 24219

Email Address: harve.mooney@dmme.virginia.gov

Telephone: (276)523-8271 FAX: (276)523-8163 TDD: (800)828-1120

Coal Miner Killed in Kentucky's First Fatality of 2018

[usnews.com/news/best-states/kentucky/articles/2018-03-28/coal-miner-killed-in-kentuckys-first-fatality-of-2018](https://www.usnews.com/news/best-states/kentucky/articles/2018-03-28/coal-miner-killed-in-kentuckys-first-fatality-of-2018)

AP

CUMBERLAND, Ky. (AP) — Kentucky recorded its first coal mining death of the year when a 29-year-old miner was killed in a conveyor belt accident in an underground Harlan County mine.

The Kentucky Energy and Environment Cabinet says Hubert Grubbs was working in the D11 Panther Mine in Cumberland. He was splicing a conveyor belt early Wednesday morning when it started unexpectedly, causing fatal injuries.

The mine was shut down after the death and inspectors have issued 15 state citations for non-compliance. Officials say inspectors visited the mine on Jan. 11 and gave a talk on safety and fatality prevention.

Grubbs, of Harlan, had 10 years of mining experience. The cabinet says in a release the mine is owned by Revelation Energy LLC.

The coal mine death was the country's fourth this year.

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Recommended Articles

Federal Investigators Looking Into Explosion That Killed 1

Nov. 19, 2018

Federal investigators have started looking into a weekend explosion at a hazardous waste site south of Boise, Idaho, that killed one worker and injured three others.

Vermont Fire Investigators: Garage Fire Traced to Wood Stove

Nov. 19, 2018

Vermont fire investigators have determined that a weekend fire that destroyed a garage in Grand Isle started near a wood stove and the blaze is considered accidental and not suspicious.

Texas Cop Arraigned in Double Homicide in Upstate NY

Nov. 19, 2018

A Texas police officer has made an appearance in a town court in upstate New York where he's among three people charged in connection with a double homicide.



Sen. Kamala Harris Plans Picture Book Edition of Memoir

Nov. 19, 2018

Sen. Kamala Harris, whose memoir comes out Jan. 8, isn't only writing for those of voting age.

Fla. Town Where Blacks Were Massacred Renounces Racist Past

Nov. 19, 2018

A central Florida town where dozens of African Americans were massacred is renouncing its racist past.

West Virginia First Lady, Artists Unveil Holiday Ornament

Nov. 19, 2018

West Virginia first lady Cathy Justice has unveiled this year's Governor's Mansion holiday ornament.

Dismissal Nixed for Officer Charged With Striking Girl

Nov. 19, 2018

A judge has refused to dismiss criminal charges against a southern New Jersey police officer accused of striking a handcuffed teenage girl.

Lawsuit Filed Against Operators of Limo in Fatal NY Crash

Nov. 19, 2018

The parents of one of the 20 people killed in an upstate New York limousine crash are suing the operators of the vehicle.

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Coal miner injured in Wise County mining incident

wjhl.com/local/coal-miner-injured-in-wise-county-mining-incident/1479922408

September 27, 2018

Local

By:

Slater Teague

Posted: Sep 27, 2018 04:46 PM EDT

Updated: Sep 27, 2018 06:40 PM EDT

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APPALACHIA, Va. (WJHL) - A miner was sent to a hospital after an incident at an underground coal mine Thursday morning.

It happened around 10:00 a.m. at the D-7 Osaka Mine in Appalachia, according to the Virginia Department of Mines, Minerals, and Energy.

A DMME spokesperson says a miner was operating a continuous miner when he struck an underground wall. That caused a rock, 30-inches in diameter, to fall between the roof and wall of the mine. It grazed the miner's neck and legs.

According to DMME, he was taken to a hospital where he was treated for minor injuries before being released.

The agency says the mine is owned by Revelation Energy.

DMME and the federal Mine Safety and Health Administration are investigating the incident. DMME says it has ruled it an accident, but the agency's investigation is ongoing.

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Revelation in my opinion

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Equipment Operator (Former Employee) – Pathfork, KY – June 17, 2018

They always worked 6 days a week. The job itself was very unstable with the potential for a layoff at any given time. The pay was good however, but it did not outweigh the overall negative benefits of working there.

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5.0

A very competitive company in the coal industry

★★★★★

Roof bolter operator (Former Employee) – Harlan, KY – October 17, 2018

If given the chance I'd love to go back to Revelation I just have some family issues arise that pulled me away from work now the matter is resolved . My superintendent at Revelation was by far one of the greatest men I've ever worked for in my life.

✓ Pros

Excellent management

× Cons

Healthcare wasn't the best would've liked better dental

Overall rating

2.6 ★★☆☆☆

Based on 16 reviews



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Ok

★★★★☆

Dozer Operator (Former Employee) – Phelps, KY – September 25, 2017

The job wasn't bad at all but the management on site was shady to say the least and alot of great men lost there jobs to the buddy system. Some guys hired in had no clue how to do the job.

Was this review helpful?

Yes 3 No

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2.0

Get it and Growl

★★★★☆

Super-Section Electrician/ Repairman (Current Employee) – Appalachia, VA – September 12, 2017

Very hard to get parts to work with, not to mention working every single Saturday and sometimes Sunday. Though my coworkers are some of the best guys you could ask to work with. Management at the site is great considering what they have to deal with.

Was this review helpful?

Yes 1 No

Share Report

1.0

Work you to death in a unsafe work enviroment

★★☆☆☆

Roofbolter (Former Employee) – Whitewood, VA – September 10, 2017

Hated it. Have nothing good to say about this company. Rather not say anything at all. Sorry but I'd not recommend this company to any person looking to work in a coal mine

✓ Pros
None

✗ Cons
To many

Was this review helpful?

Yes 4 No

Share Report

1.0

Hoops doesnt care about his employees

★★☆☆☆

Electrician (Current Employee) – Middlesboro, KY – August 12, 2017

Severely understaffed some men are trying to do 3 peoples jobs. Management is scared I'll take a vacation day because I do so much. Don't care to make you work sundays. I had 83 hours in one week. Health insurance isn't much . Jeff hoops (owner) threatens to shut us down on a weekly basis. Can't get anything you need to fix things , because hoops won't pay the vendors. Bosses are buying parts out of their pockets. Msha hates this company so that just makes it harder on the men. I've not seen my kids this week..... DO YOU GET THE POINT.

✓ Pros
Good men

✗ Cons
Everything

- 2.3 ★ Job Security/Advancement
- 2.4 ★ Management
- 2.6 ★ Culture

Questions about REVELATION ENERGY

What is this companys pay rate like
3 people answered

What tips or advice would you give to someone interviewing at REVELATION ENERGY?
3 people answered

How long does it take to get hired from start to finish? What are the steps along the way?
One person answered

Show more

REVELATION ENERGY Reviews by Job Title

- Equipment Operator (5)
- Miner (2)
- Attendant (1)
- Bulldozer Operator (1)
- Electrician (1)

REVELATION ENERGY Reviews by Location

- Milton, WV
- Phelps, KY
- Whitewood, VA
- Appalachia, VA
- Harlan, KY

- Snapshot
- Why Join Us
- Reviews 16
- Salaries
- Photos
- Jobs
- Q&A 10

2.0 Not the best choice for a work place

★☆☆☆☆

Coal miners wife! (Former Employee) – Whitewood, VA – August 4, 2017

Things are not as good! Liars & cut throat people always writing you up for some stupid thing. Hire employees that can't keep up with production! All they care about is making money. A man can't go 6 days a week & not get tired exhausted & pain all over. Need to run 5 days a week or have a weekend crew!

✖ **Cons**

Horrible insurance, Not enough time off, and you can't get off to take a vacation to use your PTO

Was this review helpful?

[Share](#) [Report](#)

Yes 6 No

2.0 Money is #1 -NO Life for EMPLOYEE

★☆☆☆☆

General Laborer (Former Employee) – Virginia – August 3, 2017

You work with Junk for 12 out of 12 hour days. Be ready to give up your life because Money is #1 to them and their Employees mean nothing. Health Insurance is a JOKE! but better than nothing. Management will LIE to you on a DAILY BASIS and look you in the eye while doing so. They will not stick to their word. Tell you one thing one week and change it the next. Lowest Paid in the Industry for the surrounding area.

✔ **Pros**

Beats Unemployment Line

✖ **Cons**

No life just work

Was this review helpful?

[Share](#) [Report](#)

Yes 6 No

2.0 Poor Management

★☆☆☆☆

EQUIPMENT OPERATOR (Former Employee) – Richlands, VA – July 11, 2017

worked for revelation energy 3 times in the past 11-12 years. company has grown tremendously and with that growth Revelation has not followed suit with internal office employees(planning, HR, etc)

✔ **Pros**

Pay well

✖ **Cons**

No job security

Was this review helpful?

[Share](#) [Report](#)

Yes 3 No 2

Snapshot Why Join Us **Reviews** ¹⁶ Salaries Photos Jobs ¹⁰ Q&A

Building a routine that was essential to daily activities. I loved helping put myself thru college. I enjoyed being a part of the team.

Was this review helpful?

Share Report

Yes 4 No 4

1.0 Heavy Equipment operator

★☆☆☆☆

Heavy Equipment Operator (Former Employee) – Pax, WV – September 6, 2015

start 5am ran dozer worked roads built and maintained roads ran grader 16-M pushed shot material cut drill benches ran excevator cleaned walls dug ditches built berms an average work 12 to 15 hours a day

Was this review helpful?

Share Report

Yes 4 No 1

4.0 Excellent job with great benefits

★★★★☆

High Wall Miner-Laborer (Former Employee) – Milton, WV – June 23, 2015

Friendly enviroment
Great Pay
Paid Vacation

Hardest Part of the Job: General Labor
Management was fair. Didn't have enough co workers
Enjoyed the pay and benefits the most

✓ **Pros**
Pay

× **Cons**
Management

Was this review helpful?

Share Report

Yes 3 No 2

4.0 fast paced

★★★★☆

Equipment Operator (Former Employee) – Milton, WV – March 24, 2015

good employment till coal prices dropped , Great co workers and management . hardest part was the 3 hour daily commute and 63 hr work week

✓ **Pros**
Insurance Healthcare paid vacation

× **Cons**
unstable employment

Was this review helpful?

Share Report

Yes 1 No

Snapshot Why Join Us **Reviews** 16 Salaries Photos Jobs Q&A 10

doesn't believe in a job work/life balance; great co-workers

✓ **Pros**
free lunches

× **Cons**
n/a

Was this review helpful?

Yes 2 No 1

Share Report

1.0

Work,work,work

★☆☆☆☆

Lube Technician (Former Employee) – West Virginia – February 16, 2014

12 hour work days, 6 days a week. You get 12 vacation days a year, insurance, 401k.

Was this review helpful?

Yes No 2

Share Report

4.0

stable work with long shifts 6 days a week. good pay

★★★★☆

Heavy equipment operator (Former Employee) – Phelps, KY – January 5, 2013

Great place to work. Had new equipment and pay was great. Some bosses could be a bit angry at times if you know what I mean.

✓ **Pros**
great pay

× **Cons**
long hours, job in middle of nowhere

Was this review helpful?

Yes 3 No 2

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Company name

Find companies

UPDATE: Southern W.Va. mine issued 3 violation notices after fatal accident

wsaz.com/content/news/Man-dead-after-mining-incident-at-Fayette-County-mine-467150123.html

By The Associated Press; WSAZ News Staff

BECKLEY, W.Va. (AP) -- UPDATE 5/25/18 @ 9:10 p.m.

A state report says a mine in West Virginia has been issued three violation notices over the death of a man who was driving a bulldozer that slipped and fell 100 feet.

The Charleston Gazette-Mail reports the death of 34-year-old Thurman Watts was discussed by the state's Board of Coal Mine Health and Safety at a meeting Wednesday in Beckley.

Watts was operating the bulldozer Dec. 29 at the mine in Fayette County, and had driven onto uneven ground when it slipped.

The state report says Watts drove too close to a high wall's edge and the ground underneath appeared to have given way. The state Office of Miners' Health, Safety and Training issued the violation notices to Revelation Energy LLC, the company that owns S7 Surface Mine.

ORIGINAL STORY 12/29/17

A man has died after an incident at a mine in Fayette County.

Thurman Watts, 34, of Harts, died when a bulldozer he was driving went over a high wall.

According to the Officer of Miners' Health, Safety and Training, the incident happened early Friday morning at the Revelation Energy, LLC mine.

Watts was a bulldozer operator at the mine.

An investigation into the incident is underway.

Gov. Jim Justice issued the following statement:

"Cathy and I are deeply saddened today after learning of the death of one of our coal miners in Fayette County.

"It's heartbreaking when we hear that one of our coal miners has lost their life while on the job.

"Please join us in praying for the family, friends, and co-workers of Thurman A. Watts and all of our hard working and dedicated coal miners in West Virginia."

W.Va. Regulators Halt Mine Near Kanawha State Forest

wwpublic.org/post/wva-regulators-halt-mine-near-kanawha-state-forest



WCHS TV

The West Virginia Department of Environmental Protection has closed down a mountaintop removal mine site located near a state forest in Kanawha County and is now blocking the mine operators from receiving new permits anywhere in the country.

Listen

Listening...

1:26

The DEP issued the cessation order Friday after 13 months of mining at the KD Mine #2. It's located adjacent to the Kanawha State Forest outside of Charleston.

A release from the agency said after a series of violations, they have also entered the mine's operators- Revelation Energy and Keystone Development- into the national Applicant Violator System. The national database will prevent the companies from ever holding another mining permit in the United States.

In a news release, the DEP said since the mine began operating in May 2014, the agency has issued 20 violations for various problems at the surface mine, including failure to meet monitoring and sampling requirements and exceeding both blasting and water quality discharge limits.

"Our mining program has been very diligent about monitoring this site," DEP Secretary Randy Huffman said in a written statement. "Because of the close proximity to the forest, we have gone above and beyond the normal regulatory requirements for both permitting and inspection enforcement."

Revelation and Keystone could have their names removed from the national database that forbids them from mining, and have their cessation order at the KD #2 site lifted, if they submit and the West Virginia DEP approves a plan to abate the violations and reclaim the site.

A spokesperson for the DEP said in an email Friday the company was already in "reclamation mode," but had recently removed all of their equipment from the site.

"The failure to abate CO is a formal declaration from DEP that no activity at the site can occur without approval from this agency," DEP spokesman Jake Glance said.

State regulators cite Harlan County coal mine after sediment leaks into creek

wymt.com/content/news/State-regulators-cite-Harlan-County-coal-mine-after-sediment-leaks-into-creek-382317501.html

By Tanner Hesterberg



COLDIRON, Ky. (WYMT) - State regulators said Wednesday they partially shut down operations at a Harlan County coal mine after sediment leaked into a creek.

The Kentucky Department for Natural Resources cited Revelation Energy in connection to the leak and ordered mine operations on one of the company's permits to stop until the problem is corrected.

The sediment spill affected creek waters near California Hollow in the Coldiron community.

Burley Begley, who lives on California Hollow, said he planned on using water from the creek for lawn care and gardening.

"If I put a garden in, I can (usually) use the water for irrigation," Begley said Wednesday. "But right now this is unusable."

The Department for Natural Resources issued a notice of non-compliance to Revelation Energy for violations including water quality, method of operation and sediment control.

All mining activity on Permit 8480346 is ceased until the ponds that leaked the sediment are fixed and comply with department standards.

"There's a mine pit that's associated with this surface mining operation," said Linda Potter with

the Kentucky Department for Natural Resources. "Basically an undisturbed berm was breached. That means some of the water was allowed to drain from the mining pit that went into the creek and it didn't necessarily go through our approved sediment control structures."

State officials tested the water Tuesday to see if it contains unsafe levels of minerals due to the spill. They hope to have the results of those tests by the end of the week.

Potter said, as of Wednesday night, she was not aware of any fish or wildlife that died because of the sediment leak.

WYMT left a message for Revelation Energy on Wednesday evening, but we have not heard back yet.