

ARKANSAS DEPARTMENT OF
POLLUTION CONTROL AND ECOLOGY

LOCATION - SUBJECT: Titan
Mining Company, Ltd.

MINUTE ORDER NO. 80-6

WHEREAS, on November 30, 1979, an administrative directive was issued to David Kane, Robert Traylor, James P. Elliott and Titan Mining Company, Ltd. for failure to properly pursue reclamation activities;

WHEREAS, on December 20, 1979, a hearing was conducted pursuant to the administrative directive;

WHEREAS, a compliance schedule was negotiated at the December 20, 1979 hearing, the terms of which being set out in a letter dated January 7, 1980 and modified by letter dated January 15, 1980, a copy of the terms of the compliance schedule being attached hereto and incorporated herein;

WHEREAS, pursuant to the compliance schedule, certain environmental problems have been identified as needing immediate correction by the staff of the Arkansas Department of Pollution Control and Ecology (as indicated in its memorandum of January 18, 1980) by the Federal Office of Surface Mining Reclamation and Enforcement (as indicated by its Notice of Violation issued to Titan Mining, Ltd. for violations observed at the Titan Lamar and Titan Philpott #1 mines on October 30, 1979) and by Titan Mining, Ltd.'s consultants (as indicated by the report of Petra Engineers delivered to the staff of the Arkansas Department of Pollution Control and Ecology on January 25, 1980);

WHEREAS, pursuant to the compliance schedule, the first pit to be reclaimed has been identified, namely Hickson;

NOW, THEREFORE, the Commission on Pollution Control and Ecology approves the terms of the compliance schedule attached hereto, and approves the three above-mentioned reports as the environmental problems which will be corrected during the month of February, 1980. Failure to comply with any of the terms of that schedule may, at the option of the Director, result in revocation of the permits and foreclosure of the bonds.

By mid-January, your consultant, Petra, will conduct an inspection to identify all immediate environmental dangers present on the permit areas identified in the administrative directive. Floyd Durham, Mining Division Coordinator for the Arkansas Department of Pollution Control & Ecology, or his representative, will accompany the Petra representative on that inspection to assist him in identifying environmental dangers.

By January 24, 1980, plans for the correction of the environmental problems identified in the mid-January inspection will be completed. The first pit at which reclamation will begin will also be identified by January 24, 1980. A report containing the above two items must be received by Floyd Durham on or before January 24, 1980, to enable Mr. Durham to give a status report to the Commission on Pollution Control & Ecology at its January 25, 1980 meeting. Work will commence in early February to correct the environmental problems identified at the mid-January inspection. Work will be conducted in accordance with the plans submitted on January 24, 1980, with such changes as are deemed appropriate by the staff of the Arkansas Department of Pollution Control & Ecology.

Final plans for reclamation of the first pit identified on January 24, 1980, will be submitted by March 1, 1980.

Reclamation of the first pit will commence in early March in accordance with the plans submitted on March 1, 1980, with such amendments to the plans as are deemed appropriate by the staff of the Arkansas Department of Pollution Control & Ecology.

Final plans for reclamation of the other permit areas identified in the administrative directive will be submitted by April 1, 1980. Those plans will include a schedule for beginning and completing reclamation of each permit area in a sequential manner.

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Chairman

Submitted by Chuck Nestrud

Date Passed 1/25/80