Westwind Mines
Corkscrew Road
Follow Up Inspection
08-10-2007(A)

Inspectors: Dale L. Nottingham, P2 Program Manager
Charlie DiFelice, DCD Mine Administrator

Job: Re-inspect mine for storage containment system of used oil.

Narrative: A request by Sandra L. Bottcher of Q. Grady Minor & Associates, P.A. to verify compliance of used oil containment system.

Conclusion: Although many of the containers previously inspected on 12-01-05 and again on 11-28 -06 have been removed, the containment system is still not in compliance. The cracks that are in the side walls and the floor were not sealed with the proper material and have already begun to peel off of the floor and concrete block joints. The coating (paint) utilized to seal the entire containment system was not properly applied or was the wrong material. The protection of the containment system from the weather to avoid rain water contamination has not been installed.

The mobile fueling truck utilized onsite is leaking. This operational equipment was referenced in the P2 Plan, for the renewal of the operational permit which had specific requirements to prevent leaks and discharges. This too is out of compliance with the mine's P2 plan and BMP's established to prevent petroleum discharges.

The paint line for the “sealer” does not extend past the floor/wall line. Not sure what type of material was used, but appears to be textured latex paint.

Block joint cracks still visible. Outside dirt line above floor elevation of containment system. The coating that was applied does not seal the joint crack between the floor and the wall. There is nothing to protect the system from weather.

Floor cracks were not repaired and sealed. Entire floor sealant shows evidence of failure where ever there were floor joints.

Floor sealant cracking and peeling off of floor and is not providing required protection.

The used oil tank within the containment system that is not protected from the weather as required. Labeling of tank should be placed in all directions that emergency responders would approach in case of a fire.

Other fuel tanks stored within containment system that holds the used oil tank. No roof over the containment system to protect from weather.

Fueling vehicle mentioned in Pollution Prevention Plan that was required for the renewal permit reveals leaks to soils. Plan required no leaks and prevention of discharge while fueling. Assumption was that the fueling vehicle would not be leaking on its' own.

Evidence of one of the leak's from fueling vehicle running down the left rear tire onto the soils.

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This inspection also discloses activities of questionable nature. The previously mentioned storage containers were merely transferred to an adjoining site and placed into an un-permitted containment system. This containment system also has integrity issues and reveals signs of leakage and discharge to surrounding soils. The containment system has numerous fuel storage tanks and various size mostly unlabeled storage containers. Evidence of leakage is abundant within the containment system from the containers. The fuel tanks have no State registration.

There are lead acid batteries being stored outside on the ground adjacent to a metal building being utilized as mechanical repair/maintenance facility. There are also numerous 55 gallon drums stored in various locations outside of the building and containment system. This building and containment system was not previously inspected and was not part of the disclosure from the mine management as part of their operation. It was stated by the mine manager on 12-01-05 that the building was not on the mine's site and that they had no permission and/or access to utilize the facility. The metal building was built for legitimate agriculture use according to permit issued to construct.

The S.E. corner of this containment system has evidence of petroleum discharge. The black drum contains industrial degreaser for heavy equipment. Not sure where waste water from this procedure is disposed.

Under the ladder within the stressed vegetation is evidence of petroleum discharge along east wall of containment system.

These tanks were previously in the containment system mentioned in part “A” of this report and documented in the previous report dated 12- -05 .

Most of containment system has evidence of petroleum discharges. A damaged barrel of unknown contents sits within containment system on the unsealed floor. System is not protected from the weather.

Drain within the containment system shows evidence of petroleum discharge. An algae mat possibly formed from diesel covers most of the containment system floor. Unknown where drain's end or where it goes.

An improperly labeled tank of used oil within an unprotected from the weather, not properly sealed containment system.

Fueling operation's which reveal sloppy use that contributes to rainwater contamination within containment system. Containment system is not properly sealed and has a drain with unknown ending.

Fueling area along west wall of containment system reveals petroleum discharge.

Mechanical repair/maintenance building which was permitted for bonafide agriculture use only is now the main mechanical repair/maintenance facility for Westwind Mines. Building has outside storage of equipment and equipment parts scattered around perimeter of the building.

Lead acid equipment batteries stored outside of building within the drip edge of the roof and not within containment to protect from contaminated rainwater runoff. Stained soils in various places along perimeter of building.

A dragline in pieces with stained soils and a container of petroleum underneath the engine compartment.

An up close view of contaminated soils and open container of petroleum product underneath the motor section of a dragline.